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***Development and Dominion: Indigenous Peoples of Cambodia, Vietnam and Laos*** deals with prevailing development ideologies and their impacts on indigenous societies with a particular focus on Cambodia, Laos and the central highlands of Vietnam. It reinforces the idea that development, as it is conceptualised and implemented, radically undermines local communities' ability to control the parameters of inevitable social and material changes. The more development projects choose new objectives and operating models the more the rhetoric and practices remain the same.

One of the strengths of the presentations is to convincingly advocate for closer ethnographic understanding in order to make any sort of cross-cultural negotiations and mutual engagement meaningful. This imperative is known to some extent, but it needs to be implemented more vehemently to make it more persuasive.

As a result, anthropology of development rather than development anthropology is proposed. The essential difference lies in the point of engagement. Development anthropology seeks to do development better, by trying to mitigate the effects of top-down programmes and allow some breathing space for local people to express their input. Anthropology of development, on the other hand, questions the very operating premises of contemporary development. This point is very much in line with the intent of the current book, even if some of the authors opt to challenge this position, being convinced that it is not the best strategy to offer radical critiques that few people in the world of development listen to, and preferring to work within the world of development programmes in the hope of providing salient lessons and constructive models.

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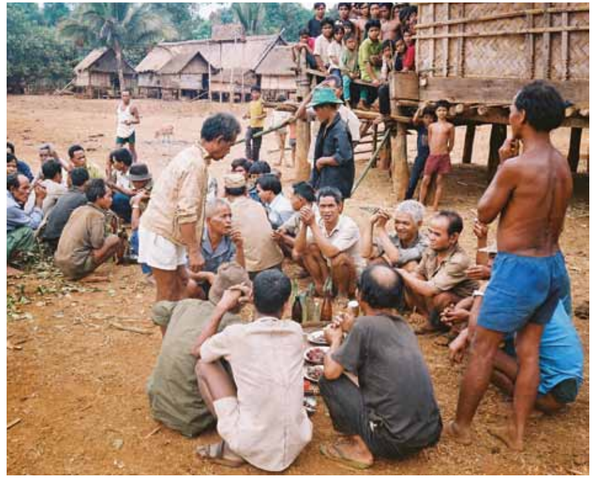
**Development and Dominion**
**Indigenous Peoples of Cambodia, Vietnam and Laos**
**Frédéric Bourdier (ed.)**
**White Lotus**

# Development and Dominion

## Indigenous Peoples of Cambodia, Vietnam and Laos

### Frédéric Bourdier (ed.)



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**Front cover photor:** One of the crucial annual ceremonies liable to guarantee village collective welfare among the Tampuan (Frédéric Bourdier)

**Back cover photos: (left)** Shop in a highlander village selling imported products and adulterated alcohol (Frédéric Bourdier) **(right)** Self-work women organization created for enhancing income generation activities in a Kreung village (Frédéric Bourdier)

# Development and Dominion

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## Indigenous Peoples of Cambodia, Vietnam and Laos

**Frédéric Bourdier (ed.)**

**White Lotus Press**

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**Regional map of countries covered in this book**

# Preface

Every author, whether an academic or a development professional, has an organizing principle or rationale in mind when collecting the contributions for such a book, reflecting some specific orientation. Usually, the reasons underlying a writer's motivations are not clearly expressed. They are frequently excluded as if considered superficial, irrelevant or an unacceptable intrusion into the private life of the writer, detracting from a more objective and scientific analysis of the issue under investigation. On the contrary, I feel that the articulation of an author's personal rationale can assist the reader in understanding why a particular approach has been taken; in the case of this book, the detrimental and often unseen impacts of development are emphasized, in contrast to the perceived successes that have been enthusiastically extolled in so many other works.

I, along with all the authors contributing to in this book, could have decided to introduce the policies and politics of development as an unavoidable reality, essential to the improvement of human beings and their societies. I could have raised issues about the drawbacks of development associated with faulty implementation and methodologies that nevertheless can be solved. In other words, I could have followed the politically correct version of development analysis. The evidence collected here as to the ramifications of development for the indigenous people of Cambodia, Vietnam and Laos tends to prove the contrary. As an anthropologist, I feel a scientific duty to investigate the process and impacts of development as it is evidently contributing not to an improvement but to a decline in the quality of life for these indigenous peoples. I have therefore decided to reject the more cautious methodological approach that stipulates development, as it is practiced, is nonetheless legitimate and necessary, as this approach would entail that only a constructive analysis of the conditions would be welcome.

It has been repeated in numerous publications and forums that actions undertaken in the name of development should be understood as an option for native peoples, and as an exchange of knowledge between equal parties**.** In truth, a real negotiation has rarely occurred. On too many occasions development has proceeded on the basis of subordinating indigenous peoples, creating dependence upon new authorities, unresolved expectations, false hopes and misery. People have been left waiting for the "miracles" of the so-called development process, much as the Melanesian people have elaborated in their mythology of the Cargo cult (the belief that large boats will arrive from distant, unknown places across the ocean, bearing a multitude of gifts).

I am supporting the idea that development, as defined, may be understood as an act of violation, a forced intrusion and as a fraud; this is not my personal innovation, but an idea that is shared by many people who have shared their direct experience with me during my field research in Cambodia and elsewhere.

To be sure, developmental frameworks and rationales can be packaged in an attractive but empty rhetoric; but in our various roles, as politicians, development professionals and social scientists, we have an obligation to the intended beneficiaries of development to question these conventional concepts. The continuous elaboration and implementation of national and international policies in the name of development requires caution and careful scrutiny in light of the evidence presented in this book. This evidence, however, is not new but tends to be either ignored or marginalized when the time comes for evaluating the real outcomes of development projects. The key direction taken by the present book may be described as reshaping or questioning the notion of development.

At the end of 2000 on the high plateau of Ratanakiri province, Cambodia, I was on my way to meet with indigenous friends of mine from a Tampuan village, surrounded by forest. I had been yearning to come back for a long time, to once more visit the place that I had lived in for two years, in 1994 and 1995. Although I went to live in the village as an anthropologist, I often found that my personal relationships with the Tampuan inhabitants and my academic work blurred into one. After my research had finished and I was no longer living in Cambodia, I returned for brief visits in 1996, 1997 and again in 2000, to keep in touch with the villagers whom I had shared so much with. The decision to return again on these occasions was motivated not by professional interest but only by a desire to spend time with the people who had become my friends.

As was expected, I noticed that palpable social and material changes had occurred in the village during the intervening years but, initially, I had no intention to investigate these changes as an anthropologist. During my return visits a number of the villagers whom I knew well also began to speak to me about the changes that were occurring to their community and way of life. Four years later, in 2004, I returned

to live and work in Cambodia once again, but on my return I felt a great reluctance to see the condition of my friends in the Tampuan village as I had a foreboding that I would be saddened by the dissolution of their traditional way of life. Somewhat selfishly, I preferred to keep my distance for the sake of the fond memories I had had of my time in the village 10 years previously, in spite of a sincere desire to meet again the highland people with whom I had become so familiar. It took me more than a year to summon the resolve to return to the province of Ratanakiri and confront the reality I feared.

*En route* through Banlung, the small capital of Ratanakiri, I first met with NGO workers, international consultants and Khmers working in the government. Among the various topics we superficially discussed, I still remember the prevailing reaction when they learned that I was about to return to my village. They told me "good luck, take care, courage, patience," and "not to worry". I was struck by their response. I had come to Ratanakiri to find peace, to forget the stresses of urban life and, further, considered it a privilege to be welcomed in a village that I used to imagine as my second home. So why, I asked myself, were so many of the development practitioners and civil servants (who are ostensibly devoted to the welfare of the highland people and, I assumed, liable to be curious about their local lifestyles) telling me "good luck" as if I had been going to endure some dangerous and unwelcoming place? Maybe they perceived me as some kind of silly adventurer who was not aware of the discomforts, poor hygiene and basic food that any visitor inevitably encounters in "tribal" or "jungle" villages, as they are often termed by development workers.

I do not have the skills to evaluate the psychology of these well meaning development workers whom I met in Banlung and, besides, it was not the purpose of my visit to do so even if their polite remarks served to shed light upon their perceptions of development and the nature of the peoples it is supposed to benefit. Interestingly, their farewells made me realize how many of them create a distance between themselves and the people they are paradoxically supposed to be in touch with, deliberately or not. In spite of these reservations, I still held a respect and admiration for those persons who, it seemed, were genuinely dedicated to the cause of the increasingly marginalized indigenous groups of Ratanakiri. Nevertheless, my unease with the general tone of their discourse motivated me to leave Banlung as soon as I was able to do so.

I arrived in the village in the late afternoon. The Tampuan people, interestingly, do not show any expression of their joy when an old acquaintance returns to their village. They do not rush at you with affection but instead discretely approach the visitor, step by step, and in the appropriate hierarchical order, as dictated by their cultural protocol. The administrative chief and the traditional leaders of the five clans came at first, followed by those younger persons who had a particular affinity with me. One by one they re-established their relationship with me through the recounting of memories and

the times that we had spent together in the past. One asked me if I had managed to improve my hunting skills with a crossbow during my absence in memory of my status as the worst hunter in the village! The second reminded me of the pleasure he had had in drinking coffee with me together with the elders while discussing the mythologies and epic stories of the Tampuan people. He went on to describe in detail the last rice wine ceremony we had shared that had turned into an impressive but pleasant mess! And what could I say about my ability to cross small rivers, reminded me another? Did I improve in pathet Brazil? *God*, I was ruminating, *did they not spare any commentary or criticism as to my ineptitude to adjust to their forest environment*? Another went on to recall that I was hardly able to walk alongside a river on a thin piece of wood without falling down. But they conceded jovially, "it was interesting to see you try and we had good time!" I retorted in a similar spirit by reminding one fellow that he could not use a modern lighter because his fingers were too clumsy to work the tiny gas technology. He laughed, "You won one point, and we are equal".

Conversations went on and some middle aged women approached as well, more discretely, being less prone to speak openly in front of the men. Slowly the tone of our conversation shifted from shared memories to the exchange of current news and reflections about present life. I came to know who died in the village, how and why. "*The forest was burning*", they said, meaning that the deaths were attributed to the dissatisfaction of the spirits with the behavior of the living. Then the villagers began to speak about their recent interactions with the outside world. This topic appeared to be a major source of concern for them, but I could not distinguish if it was either an ambiguous feeling mixed with fascination, hope, prudence and rejection, or just a direct appeal to express some of their socio-cultural perceptions of life's changes. The candor and sincerity of their conversation reflected our long history together and the trust they now had for me. I was in a unique situation to understand their deepest fears and concerns.

Then, stridently, a middle aged man told me:

> You know, Prêd, (my local name) before you smoked our tobacco, you joined us in the forest, you always wanted to participate in the ceremonies and you appreciated us. We joked about you and we never understood fully what you were doing but we accepted you. You were living among us to observe and understand what we are doing but we also did the same with you. Many times you have been a distraction for some of us. You were a burden when you became very sick and lost weight... Anyway we were all together. But now you have to realize that it is no more like this. Villagers do not like to join together as before. Fights, jealousy and misunderstandings are so numerous now.

This irrevocable statement took me by surprise. I remembered well their sense of unity when I had lived among them, the strength of their capacity to share and their

incredible desire just to be together. Whatever difficulties and constraints they faced in daily life, their inhering solidarity and capacity for cooperation were undoubtedly social and cultural traits that the villagers were proud of.

I innocently asked what had happened. The man replied abruptly in Khmer, "*Kaplas Bdo Setha Ketch Ning Ka Rik Chamroeun Nay Samphea Reak*", meaning, "material progress and economic change". I asked the former chief of the village to explain how he felt about the repeated contacts with outsiders such as Cambodian public servants and NGO development workers, or the others who came, believing in the need to help the highland peoples. The former chief replied ironically:

> Prêd, once they arrived and spoke to us, I discovered how we are.... I came to realize that I was poor, ignorant, badly dressed, uneducated, full of superstitions, undernourished, not responsible towards my family, always sick without being aware of it and so on.... How could I ignore all this? Thanks to those clever people, they told me the truth and help me to know that I do not know anything!

The man was obviously irritated and he wanted to express his disappointment about being told by outsiders, the knowledgeable, that he no longer had sufficient knowledge relevant to survival in the modern world. I heard similar sentiments from other people, mainly from the elders and middle-age villagers. Some of the villagers reacted strongly and expressed doubts, sometimes anger, about the outsiders who came to teach them the proper ways. Others remained skeptical while a few expressed that they should wait and see, and be ready to change if we don't want to die by becoming isolated from the larger society.

Even if their reactions were not entirely surprising, I came away with a strong desire to address their concerns—a desire that eventually became the primary motivation for organizing this book and, consequently, for conducting deeper enquiries into the ramification of development programs on the lives of these highland people.

As could have been expected, economic and socio-cultural changes have occurred in the province since I lived in that village ten years ago. But it is the rapid rate of imposed change that is occurring that gives such cause for concern. In addition to the preliminary, powerful remarks given by the Tampuan villagers, it is clear to any observer that the situation in Ratanakiri province is deteriorating from insidious pressures such as uncontrolled migration, the alienation of land, organized logging, new health hazards, the dismantling of village organizations, the proselytizing of foreign religions, and so on.

What is worse is that many of these changes have been encouraged and sanctioned under the fallacious pretext of national development: a difficult but necessary phase, as it is commonly argued, to ensure the future prosperity of Cambodia and all of its

citizens. In the name of this development it is considered necessary to encourage the migration of educated and entrepreneurial Khmers, Laotians and Chinese from the plains to the fertile but ill-exploited plateaus of north east Cambodia. Trees and forest products are considered first and foremost as important sources of income for the country; thus even deforestation itself can be valorized as enabling the development of productive and commercial mono-cropping. So too, the welfare of rural villagers is said to be improved through access to the market economy and the creation of employment opportunities. Concurrently, Christian churches are supposed to bring light to the stone-age people stuck in the world of the spirits.

In confronting these ill-conceived and dangerous ideas, I now find it imperative to reconsider the real agendas and motivations behind the fraudulent concept of the development project as such, and its activities. The need to question the concept of development and its purported benefits has provided me with the rationale and justification for the preparation of this book along with some of my colleagues. Being social scientists and/or long term advisors, we have attempted to analyze the feedback from village people and our own observations using a scientific approach and methodology. Nevertheless I should confess that I have never been a pro-development missionary nor even an unconditional sympathizer, at least not in the classical tradition that usually accepts development. Subsequently, elements of my personality may influence the way I present scientific enquiries and methodologies. In my twenty years as a professional geographer and anthropologist, I cannot remain incredulous and am sometimes disillusioned and cynical about the purported achievements of development as claimed by the rhetoric of common sense and its legions of scientists, consultants and experts. Undertaking research in this field, therefore, is a way for me to return to the elementary but unsolved questions concerning the real impacts of development that I have had in mind for such a long time. What do we mean by the concept of development, to what questions and objectives should it be held accountable; more importantly, are there any other reasonable visions of the future, or perspectives on life, that can be proposed in contrast to it?

Frédéric Bourdier, November 24th, 2008
Phnom Penh.

# Introduction

**Frédéric Bourdier**

Much has been written about indigenous development, either in Africa and Southeast Asia or in South and Central America. However, barring a few remarkable exceptions, the concept of development, with its explicitly privileged economic component, continues to be taken for granted. Even if the discourse is susceptible to different orientations (sustainable, endogenous, etc.) strengthened by splendid rhetoric, it is generally perceived as a self-evident necessity: a unique solution for adapting and surviving in the modern, global, social environment. Inhabitants of the world, and very often indigenous populations, are requested to comply with this unilateral assertion of change, which is supposed to enhance their standing as good citizens. Unconditional promoters of various development politics and policies argue that indigenous people, among others, should be considered the first direct beneficiaries of this innovative process of transformation. Paradoxically, these forced changes, encouraged under the banner of democracy, deny populations the right to control their own futures and exclude the possibility, should they wish it, to preserve their own ways of life, and their unique identities, against unwanted interference and the unforeseen ramifications of such interventions.

Options pertaining to local social and cultural values are invariably mentioned in the documents supporting these multifarious development projects, but any attentive observer may doubt the ability of most programmes, at least in the sub-region under consideration, to adequately take them into account. Development, in practice, is hardly a process of negotiation. There is no need to wonder who has the decision-making authority to orient and direct the other, if not dictating the format outright, for this is widely known. It reminds me of one of the metaphors used by a Brazilian social worker, a follower of liberation theology, who remarked that, "the arms of the poor remain poor arms".

The theoretical and concrete drawbacks of *developmentalism*, as an ideology and practice, can be observed over the last fifty years of successive program implementations; it seems that the norms imposed by national and international aid agencies, generally promoted by politicians and justified by a majority of academics, are poorly discussed and rarely questioned. To remain politically correct, one must not conceive of those norms as a fraud; it would be inconceivable to admit that their implicit aim is, de facto, to subordinate anyone among the indigenous population (already, in general, marginalized) who does not share the aspirations and expectations of the project, who does not envision their own well-being in the same terms as the outside specialists.

A few social scientists, like Wolfgang Sachs, Gustavo Esteva and Kalpana Das, among others, opened new categories of scientific thinking in the 1980s; they are, ironically, called "research activists" by some of their counterparts. These were the minority who decided to reject common preconceptions of development as a matter of cognitive subversion. This rejection is a prerequisite condition for any real social, cultural and political change; to borrow the words of a Maori activist from Aoterorea (i.e. New Zealand), it is the "decolonization" of the terms employed, necessary to describing the matter impartially. Above all, these new perspectives began by tracing the history and evolution of the so-called development process from its beginnings, in various contexts. They provided more evidence of disastrous effects than of constructive impacts in the societies to which they refer, disastrous in the physical, material, social, cultural or spiritual dimensions.

In this context, it is worth calling to mind the evolution of the terminology that has been employed to define the allegedly necessary transformation of indigenous societies. Until the dawn of the twentieth century, colonial administrators, along with missionaries, characterized themselves as servants in the *pacification* of belligerent or rebellious indigenous people. The main objective was to subdue the isolated populations, expressly described as insubordinate elements. The concept of *underdevelopment* appeared later, in the 1950s, justifying the dualistic engagement presently categorized under the banner of *development*. In the course of time, however, some authors began to wonder if the development process was not a subterfuge that could be objectively re-baptized with the term domestication. A book edited by Don McCaskill and Ken Kampe, entitled *Development or Domestication? Indigenous Peoples of South-East Asia* (1997) pursued this direction. These arguments are rooted neither in philosophical assumptions nor in intellectual speculations: the authors rely on a methodology of understanding the social dynamics of interactions as a potential source of power exacerbation, to borrow Michel Foucault's expression. Such a hierarchical scheme, depicting the control of power, can be traced out by any ethnographer or field researcher, observing, interpreting and analyzing the orientation of his host society in these terms.

The decision of the authors of the present book is not to adopt an extreme and rigid ideological position reinforced by selected theories. Most of the contributors are more interested in questioning the universal meaning of development as it is generally perceived and applied. The various chapters intend to focus on territories inhabited by indigenous populations in the ex-Indochina region. Particular attention has been given to Ratanakiri, Cambodia, but a number of chapters consider comparable issues in neighboring provinces of the country (e.g., Mondolkiri and Stung Treng) as well as among the indigenous societies of neighboring states (northern and southern Laos, western Vietnam). One should not forget, however, that spatial and administrative boundaries as well as ethnic terminologies remain arbitrary. They do not reflect any particularity (at least in terms of socio-cultural determinism) of the indigenous persons there, confronted with similar development pressures. Social groups with equivalent names, claiming the same identity pattern, and wanting to retain their cultural values in spite of different historical backgrounds, cross borders and their territory is coextensive with two or three countries of Southeast Asia

The purpose of the reflections compiled in this volume is not to be selectively inquisitive, ideologically biased or systematically critical. Significantly, no claim is advanced in these pages for the extreme alternative to development, of making artificial reserves to isolate selected peoples. Even if the latter course has been pursued with a certain degree of success in Brazil through an elaborate policy of protection in favor of the native South Amerindians, this is not posed here as a simple answer to the complex questions of development. Nor do we want to commit the error of refusing the right of every social group to encourage change and to welcome external cooperation: exchanges between nations and populations are increasing beyond the control of the nation state or its monopolies.

The main idea of this book is to understand how development is decided, implemented and perceived by a number of indigenous groups. What are the reactions of these groups, and what are the unexpected drawbacks that may have eventuated, decreasing their quality of life, once they came in contact with the outside world? Far from wishing to posit abstract generalities, every author's contribution hopes to provide what can be called illustrative case studies through particular events and development processes that have been observed, understood and, subsequently, critically analyzed.

Scientific arguments revealing unexpected facts and social dynamics that have been previously misunderstood, neglected or denied by developers, must be recognized by all sides as constructive criticism. The reflections collected from the participating authors will contribute toward a scientifically superior understanding of the complex interactions between societies and developers, interactions that should be taken into account to a greater degree than has commonly been the case.

Our primary purpose, therefore, will be to reveal the complexity of the prevalent, ambiguous situations created by interventions in the name of development, with a special priority given to understanding the local socio-cultural and economic context, as the latter is, unintentionally or deliberately, so often forgotten in the implementation of economic policy. The subsequent interpretations, elaborated with classical tools borrowed from agro-economic, historical, anthropological, sociological and geographical disciplines, as according to the background of each author, are presented for the consideration of those developers who are interested in, and open to, a more comprehensive approach.

The scope of the study is confined to a particular kind of development that is supposedly in favor of indigenous populations, and descriptions and analyses of social phenomena that occur in the name of that development. The intention is nonetheless to avoid recommendations, rash statements and judgements without proper argumentation and discussion. Even if the ambiguous concept of indigenous development will be called into question, the book aims to provide the public with a balanced perspective. The question of symmetry, as is conceptually vital to contemporary to sociology, will therefore be respected. For these reasons it was imperative, indeed essential, to give voice to decision-makers, professional actors and developers who have been working in aid projects focussed on indigenous societies. Their contribution to this book is significant and fundamental in so far as they are in a position to make clear why, how and under what circumstances and constraints they had to adjust and negotiate their work with their aid agencies. More concretely, we learn how they evaluate both the material and immaterial effects of the projects they have been associated with. Finally, it will be instructive to understand how they perceive themselves as a link in the chain of actors who are involved in socio-economic transformation.

This book is divided into four parts. Commencing with what is usually perceived as self-evident and tacitly normal, the first section inquires into the very notion of development, its dominant orientations, a few of its theoretical and conceptual foundations. The practical significance of the abstractions soon becomes clear: interventions to recast the fate of indigenous populations have been avowedly governed by a proliferation of principles, under ruling ideologies of varying duration. Whether in Laos, Vietnam or indeed in Cambodia, one common point emerges from the first three chapters: notwithstanding the most recent and fashionable watchwords (participation, sustainability, gender, etc.) now portraying the array of good intentions declared by the majority of aid agencies, one is amazed at the absence of any real negotiation with the indigenous populations. We must also observed that very few development professionals seem to be sincerely concerned as to whether or not the so-called beneficiaries will be able to exercise any degree of control over their own futures. The mode of engagement would seem to be one of *taking interest in them*,

but *working without them*. Development projects that might have been, initially, presented as an option, seem to become a formal notice or ultimatum soon thereafter. The imposition of such outsiders' plans, however, is phrased and accomplished in a style deemed requisite to receive the approbation of the international community. The approval of such projects' harshest critics is solicited through the conventional assertion that all this is only a matter of an ineluctable stage of progress: fleeting, even if distressing.

Opening the first section, Frédéric Bourdier demonstrates that the concept of development has been overused, and is no longer acceptable as commonly defined, due to its implicit ideological connotations, and its highly subjective application. Few development specialists or scientists are genuinely convinced that the brave new world has much to learn from materially minor cultures: the idea of learning from the Other appears outdated and is, at any rate, seldom founded on a notion of mutual exchange. The nature of the interaction between societies, irrespective of their technological inequality, needs to be re-evaluated. The chapter proposes a new direction for development, according to which projects and interventions have to be adjusted by taking local contexts into account.

The following chapter validates this idea in a specific setting: presenting their ethnographic research in Northern Laos, the second article, written by Vanina Bouté and Steve Daviau, illustrates the distortions arising between two development actors at cross-purposes. The harmful effects of this contradiction, from the indigenous population's perspective, are demonstrated in the French development agency's misinterpretation of state policies and local conditions. Communities found themselves facing contradictory messages, as government actions conflicted with project activities. This resulted in increasing pressure for change from public interventions, while at the same time a large part of the district's remote population remained "forgotten" by those development policies, accentuating internal conflicts.

The third paper, by Jeremy Ironside, briefly reviews Cambodia's economic development and poverty reduction policies, revealing the impact of these on some indigenous communities in Ratanakiri province. As his research demonstrates, it can be said with some certainty that the present process of development in Ratanakiri is resulting in a widening gap between indigenous and non-indigenous groups, between villages with and without land, and increasing inequality within individual villages, concomitant with the widening socio-economic gap between urban and rural areas throughout Cambodia.

The second part retraces the moments in which the very notion of development was still unsettled, either because the priority at that time was the restructuring and unification of a society seeking to assimilate the indigenous populations, formerly regarded as rebellious, or because the concept was recast in the lethal madness of an

extreme ideological fervor, *viz*., the perverted faith that Cambodian Marxism was to become. Evaluating the situation in plain humanitarian terms, one must recognize that the indigenous peoples' mode of receiving aid evolved in a period of serious political and material instability. Strategies were variously adopted and imposed merely to guarantee short-term survival in a crisis situation. In this period, one sees the people's negotiation of their immediate survival, but also their re-envisioning of their own futures as a veritable development of its own, based on the alternatives manifest before them.

Mathieu Guérin's contribution is chronologically the earliest in its focus: it explains how French colonial domination was justified in terms of France's *grandeur*, its civilizing mission, and the need for economic development. The colonial pact worked relatively well in the northeast, and when Cambodia gained Independence, the government maintained a development discourse toward the Highlands and their inhabitants that was directly influenced by French colonial policy, strongly rooted in objectives of control and assimilation.

Sara Colm's chapter focuses on the next decade thereafter: she examines the impact of the Khmer Rouge agenda (for political, social and economic development) on the culture of the indigenous minorities in north-eastern Cambodia, where the rebel group built their first base of popular support in the 1960s. Despite the rhetoric of Pol Pot and other Khmer Rouge leaders about their solidarity with the highland minorities, whom they perceived as practicing a kind of primitive communism, their policies and practices ultimately resulted not only in the deaths of thousands of people in the northeast from purges, lack of food, and disease, but in serious blows to the highlanders' customary belief systems and traditional ways of life. The Khmer Rouge strategy for political and economic development in the northeast, which promised to improve conditions in an idealized primitive society by converting it to a classless society, failed to a large extent because it neither incorporated nor respected traditional, indigenous belief systems.

The next paper, written by Christel Thibault, shows the peculiar situation of one ethnic group from Ratanakiri, and their repeated displacement from the time of their incorporation into Khmer Rouge forces in the 1970s until their return home to Cambodia in the late 1990s, after a period passed in the Thai border camps. Following the end of the cold war, about 400,000 refugees were assisted by the United Nations, but the fate of the highlanders turned out to be narrowly linked to the political and military weight of their respective Khmer Rouge factions. Nevertheless, freedom fighters from these ethnic minorities kept their traditional autonomy—insofar as was possible—both under Khmer Rouge command and at the different border camps, run under humanitarian auspices, by protagonists acting in the name of development.

In the last chapter of this section, bringing us up to more recent history, Tram Lam takes an alternate course, departing from the preceding chapters' direction,

to eventually rejoin their general argument in the pursuit of a past wherein cultural heritage is assiduously sought, but nowhere to be found. In the instance of these socio-political changes taking place in Vietnam's northern, mountainous regions over the last 150 years, notions of ethnically distinctive traditions have been hastily introduced as part of a rescue package to fulfill the hopes (which are, in their own way, legitimate) of an international aid agency. The latter is aware of the inconsistencies in its terms of reference in this context, but nevertheless rushes headlong into action with deep misconceptions as to what practices can be sustained by the indigenous society. The instrumentality of this illusion indicates the extent to which the agency is projecting what it wishes to see and hear onto the populations in question. This has become culturally thinkable because migration, shaped by wars and ensuing policies, strongly influenced people's reactions to change, including their perceptions of economic development and cultural heritage. While memories cannot be fully erased, they nonetheless remain conditioned by such selective processes.

The third section debates the conservation of nature, environmental protection, and economic development, in the context of indigenous peoples of Southeast Asia. Faced with the exponential degradation of forest resources, aid agencies that address environmental questions occupy an increasingly prominent place. This is, in any event, the case in Cambodia, where the agencies are accepted by the government, if not for what they intend to realize, at least in view of the veneer of respectability they share with the host country and the money they bring into it. The latter is appropriated, for the most part, by a small number of privileged persons, as has been the case with money flowing into the management of eastern Cambodia's national parks. The chapters presented here bring out a number of major points such as the recurrent distrust of practices and "beliefs" that are deemed to be dangerous, without any scientific evaluation, and the presumed non-existence of populations that nevertheless inhabit the land. While there are supposed discussions with the local communities, it seems that none of the indigenous population's knowledge, logic, or practices for the management of nature are ever conveyed to those in power. Theirs is a socio-cultural and economic non-existence, entailing a lack of awareness of their very physical presence in the space by those in power, and a heedlessness disregard for their ancestral territory, access to which is prohibited here and there in partitioned-off sanctuaries.

The four essays presented in this section reflect a tendency not yet discussed in the papers outlined above: the attribution of innocence and purity to the local populations, enthroning them as irreplaceable masters of the place and immunizing them against any attack. Nothing is more deleterious than to deify a social entity for the simple reason that it has roots, in distinction to its neighbor, newly arrived, who must expect to bear the brunt of all wrongs. The puerile notion, with its Manichean

prejudices, dividing the world between the good and the bad, runs counter to all attempts to envision human relations, and therewith development, as an enterprise of negotiation.

Ian Baird's paper opens with an assertion that the discourses that justify centralized control over the land and resources within present park boundaries are of critical importance. His intent here is not to reject the idea of conservation outright, nor even protected area management, but to question the appropriateness of centralized management as is inherently promoted through 'National Park' systems.

The second analysis in this section, undertaken by Ashish John, an international consultant long established in the country, examines a project linked with indigenous communities and natural resource management in northern Cambodia. His paper describes the practical difficulties of trying to induce change in governance from within the Cambodian government. The country is still formulating its laws and legal instruments, making the framework fluid and unpredictable. He shows how projects trying to help the government protect and manage natural resources do so more through collusion than negotiation.

Ruth Bottomley's article examines the relationship of the global to the local in the case of Ratanakiri Province during the late 1990s. Modern state power in Cambodia, based on Western concepts of nation-building, including territorialization, assimilation, and economic development as well as the commercial exploitation of resources, has led to the incorporation of the remote forested areas of the periphery into the net of the state. Since the 1993 national election, the plunder of the forests in northeast Cambodia has been justified in the name of development. However, the response of the forest-dependent highlanders to this outside intervention cannot be understood as either simple opposition or acquiescence. Rather, as the author demonstrates, it has been a contradictory and fragmentary response, emerging from the conflicting desires for autonomy over land and forests and for the perceived benefits to be gained from development and inclusion within the hypothesized nation-state.

The last chapter of this section, written by Megan MacInnes, broaches an essential theme, rarely discussed scientifically. After reminding us that the harnessing of natural fire by humankind has been one of the greatest influences on landscape and ecology, also providing the fundamental technological basis of human society, she describes the changing perceptions of insiders and outsiders about indigenous uses of fire as a tool for managing natural resources in northeast Cambodia. An official anti-fire narrative has emerged, and now dominates state policies. This discourse criminalizes traditional practices, but at the level of implementation the authorities and people cross-over in a slippery grey area, recognizing the local legitimacy of some traditional fire regimes, despite their illegality. The result is an informal policy of non-implementation of the law. In other words, fire has become symbolic of the

contested definitions of the aesthetic and utilitarian values of the environment, as part of a highly politicized struggle for resource management. In this instance, an important element of agriculture and ecological development simply cannot be officially recognized.

The last section of this book inquires into a number of specific examples demonstrating that the priorities of the state put a violent strain on the local, indigenous populations, expecting them to suddenly abandon all their expectations in life, including their land claims, to suit the convenience of economic development. The planned collectivization connected with the development of coffee plantations on the upper Pleiku highlands in Vietnam had dramatic repercussions for the local population, who only became poorer thereby. The forced displacement of indigenous peoples in Laos, constrained to settle along the major communication axes, has had a different set of unforeseen consequences. Unfortunately, there is nothing unique in either scenario: on the contrary, these are recognizable patterns, carried out in the name of development, as it appears on an agenda determined from above. Such large-scale initiatives are always embellished with claims that they are *sustainable, reasonable, viable, and combining micro-* and *macro-economic* benefits. The willingness to be attuned to the needs of local populations, who, according to developers, refuse to understand what is taking place in their own interest, progressively diminishes as the projects proceed.

Jonathan Padwe opens this fourth section of the text with a study of efforts to resolve the incommensurability of national governments' legal systems and the customary practices of ethnic minority and indigenous groups (through the formal recognition of the latter as customary law). Principal among the set of problems that have been raised is the notion that the establishment of alternative sets of rights for different ethnicities is not merely a governmental response to the real differences that exist in norms and customs between groups, but rather is part of a process whereby those identities are constructed. Furthermore, efforts to recognize traditional authority figures and to provide them with official sanction reduce their legitimacy in the eyes of villagers by removing the locus of their authority from the village to the state.

Bruce Shoemaker and Ian Baird highlight another sensitive issue now becoming more and more prominent in Southeast Asia: focusing on Laos, they confirm that a number of programs and policies are promoting the internal resettlement of (primarily) indigenous ethnic minorities from remote highlands to lowland areas and along roads. The original causes for this internal resettlement were the rapid eradication of opium cultivation, the reduction of swidden agriculture, security concerns, and the objectives of improving road access and service delivery, as part of an over-arching project of cultural integration and nation building. There is, however, compelling evidence that these resettlements are having a devastating impact on local livelihoods

and cultures, and that international aid agencies are playing important but varied roles, sometimes conflicting, with regard to internal resettlement in Laos. While some international aid agencies claim that they are willing to support internal resettlement if it is voluntary, it is not easy to separate voluntary from involuntary resettlement in the Lao context, although both state and non-state players often find it convenient to discursively frame non-villager initiated resettlement as voluntary.

On the other hand, civil protests are mushrooming: Frédéric Fortunel reminds the lector that social unrest has repeatedly disrupted the Vietnamese Highlands with thousands of Montagnards demanding the return of their ancestral lands. These demonstrations, also associated with demands for religious freedoms, first took place in the Highlands' major townships and were severely repressed by authorities. These claims are linked to the State policy of land redistribution at a time of economic transition from a collective to a private property system. Political and social movements are slowly emerging.

The incomprehension on both sides of the wall separating development professionals from the communities they would develop is demonstrated in the course of the last chapter, where we see the positions that women of different ethnic groups take in the face of a very particular form of imposed modernity, apprehensive about their future and that of their children. Margheritha Maffii's contribution brings us the voices to indigenous women in Cambodia. Although they have yet to reach levels of organization comparable to those seen in northern Thailand, as of late 2008, at least a certain awareness and a desire to join together in a common cause is not absent, and we can assume in an optimistic way that the future remains open.

With some uneasiness, we all must face up to the discrepancy between the intellectual and organizational wealth of the agencies implementing aid, or even those investigating it, and, on the other side of the equation, the blatantly mediocre results that ensue: the outcomes. There is an encounter with the Other presupposed in the enterprise of projects aimed at improving living conditions, and it is precisely therein that one of the greatest complexities of the notion of "aid" itself can be found, a source of perplexity, doubt and incomprehension. The occupation of developer, which can be an honorable vocation, should not be considered as a pastime left to dilettantes. The presumption of all-purpose ideas, applied by all-purpose professionals, is especially ill-suited to problems of development: nobody can expect the aid worker to arrive as a locksmith, to blast away the hinges of what have been trivially referred to as obstacles to development. Modern geometry teaches us that the shortest distance between two points is not necessarily a straight line. The logic of aid agencies, despite their

conventional equivocations, tends to essentialize and abstract from the real, human complexity of these situations. The arbitrariness of their decision-making is one result of this universalizing mindset. Decades of experience, informed by recurrent failures, show that developers can no longer avoid encountering the local population, getting to know them and having continued discussions with them. The importance of this dialogue, even if scarcely equitable, must be realized from planning stage on, yet it is scarcely evident at any stage of these projects under present scrutiny. One of the distressing affirmations of the importance of this book is the absence of that most fundamental, potentially serene relation, of the exchange of knowledge: of observing, hearing and learning from the indigenous people.

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The editor of the book expresses his deepest sympathy and respect to the people living in the forest in this South-eastern part of Asia. Without their exchanges, contributions and agreements, the work could not have been undertaken. Neither the authors nor I can claim that ideas put forward in the book reflect the mood of all the highlanders. Some would disagree. But not all. We however have the ambition to follow some of their most acute concerns and worries, even if some of the contributions presented in the book by historians belong to the past. But this earlier period can be understood as a way to explore the present insofar it has generated social dynamics that are to some extent still active to this day.

We thank again the highlanders in the name of all the contributors: some of the indigenous people took the risk to adopt a vehement position against the officials and development processes that they perceive to be counter to their interests. They are aware, that in the name of development, everything is supposed to change without their consent and to their detriment. Their voices which have been documented in this book should encourage us to be confident in their declarations. We particularly show gratitude to each of the authors who accepted to contribute by adopting a scientific and critical analysis of what they have observed and, in the case of consultants and long term advisors, what they have done. We appreciate those who received the criticisms and suggestions of their peer reviewers with equanimity and scientific rigor.

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**Chapter 1**

# On Development Issues and Indigenous Societies: Recent Conceptual and Methodological Perspectives

**Frédéric Bourdier**

Every idea, as legitimate as it is, holds the risk
of being transformed into an ideology manipulated
by political power for its own purpose.
Jean Bricmont, 2005.

For the last two decades, indigenous societies from the selected region in Southeast Asia have been targeted by multifarious development programmes. Irrespective of the various definitions proposed by different authors who have worked in the region, the usage of this appellation *indigenous* will be restricted in this chapter and in this book to the native populations living in the highlands of the three countries, who share a similar way of life and are culturally distinct from the neighbouring lowland ethnic groups (Khmer, Lao and the Kinh in Vietnam). The concept of indigenousness could have been extended to neighbouring populations living in the plains and to those who migrated into the upland regions long ago. In fact, most of the population from the three countries are facing interventions related to development and, thereby, could have been taken into account in a lengthier study: the choice to focus on these ethnic groups, long-established in the highland areas in these three countries, does not imply that other populations do not share some of the same kinds of socio-economic changes and associated cultural challenges. Readers are invited to judge whether the issues raised in this book can be extrapolated to other societies.

## 1. Under the Rubric of Development

A similar rhetoric prevails almost everywhere: poor populations' indigenous communities are perceived as the recipients or beneficiaries of experimental projects, or

perhaps as guinea pigs, that can subsequently be used as models to be introduced amongst other social groups in neighbouring geographical areas or in other southern countries. Many of the indigenous populations located in Northeast Cambodia, central Vietnam and Laos have, therefore, been confronted with interventions proposing improvements to their lives. While national and geo-political priorities may define the economic orientation of specific interventions, one shared assumption is that indigenous peoples' sociocultural patterns have to be transformed. Most development actors, irrespective of their ideological and professional differences, presume that it would be abusive to allow these people to control their own lives: they need help, support and orientation. Perhaps the actual practices now prevailing are less intrusive than the earlier, large-scale programmes, conducted in an authoritarian manner by both national leaders and international agencies. However, the actual contribution of local people to their own development continues to be severely constrained by external interference. While recognising that some change is inevitable, one of the key arguments of this essay is that current development processes radically undermine local communities' ability to control the parameters of social and material change. Closer ethnographic understanding is necessary in order to make cross-cultural negotiations meaningful to the extent of signifying mutual engagement.

Nederveen (1994), along with several authors who have tackled the subject of development outcomes, argues that it would be unethical, dangerous and counter-productive to let the populations of southern countries, specifically the supposedly primitive indigenous groups, strive for improvements to their living conditions alone. Remote populations thus need international support, given that "we from the North" know more than they do, or at least that westernized experts—along with national decision makers—are in a better position to direct their future. Such assumptions can be misleading, and may even be discriminatory. What is the meaning of the common, yet rather astonishing notion of "working for the improvement" of beneficiary communities? Does this desire for change come from the local populations themselves or is it imposed upon them? Irrespective of charismatic statements and testimonials as to human solidarity, the underlying impetus prompting external interventions "on behalf of" indigenous communities appears to be predicated upon the assertion that such people are somehow ignorant and lacking in potential.

These remain the dominant trends among international and national development specialists, despite the fact that some of both scientists and policy makers have convincingly proposed alternative approaches (Chambers, 1983; Stiefel, 1994; Sen, 1999) while others have criticised the rationale behind initiating, controlling and supervising the development of others (De Rivero, 2001; Dichter, 2003, Bricmont, 2005).

The idea that indigenous populations do not have the tools to determine their own futures dominates prevailing thought on development. At best, native people

should be accompanied on the long and perilous road to development. If there is no consensus on how development processes should be planned and implemented, there is at least a strong agreement that, whatever the means or the strategy, *something* has to be done for indigenous communities. Mosse and Lewis (2005) lucidly interpreted this dynamic as "the aid effect", occurring despite the now twenty year old directive regarding the inclusion of local people in the development process, advocating interaction rather than imposition. It appears that development, with all the ambiguities bound within this old concept, is regarded as essential by the profession that implements it, and so is not only a question of the survival of the recipients. Similarly, improving indigenous peoples' lives is a necessary contribution to the macro-development expectations of the country in which they are living: they are linked to national development, sometimes by explicit policies and targets; thus, they can no longer be considered, as they were at some points in the past, autonomous groups, free to do as they please, without any relation to such policies. For instance, an international development programme, dubbed "Triangular Development" in reference to the three points of southern Laos, north-eastern Cambodia and western Vietnam, is now underway, targeting an area where indigenous people are living. No consultation with highlanders has occurred. On the basis of a document ratified by the three countries in 2005, the plan will proceed; it appears that none of the native people are aware of what will happen to them, yet there are plans for their territory to be economically appropriated by national and foreign investors in the name of "sustainable development", which can be understood in this context as long-term profit-making economic development.

The current focus of development practices results in a series of complex actions and decisions that are monitored, controlled and evaluated by outsiders, and only very exceptionally—at least in the region in Southeast Asia which is the focus of this work—by native people whose unique sociocultural structures and institutions have evolved over time, often founded on a sophisticated knowledge of their terrain and social environment. According to our information up to 2006, very few development interventions have been "in the hands of" local populations in the region. In Cambodia's Ratanakiri province, for instance, just two small projects remain partially controlled by highlander associations, but these are implemented with limited resources. Local initiatives and endeavours that emerge from within indigenous communities continue to be considered as secondary projects by external agencies, such as International Organizations, provincial and national governments, and even NGOs.

The successive failures of past development programmes in Southern countries have resulted in the reorientation of policies, procedures and strategies. The classic top-down approach that prevailed in the seventies has been progressively replaced

by bottom-up initiatives in which local populations are encouraged to play a key role in enhancing their living standards. Concepts such as participation, governance, capacity-building, gender sensitivity and empowerment have become new requirements, enabling the careful measurement of non-monetary indicators of socio-economic change. Such innovative and revolutionary ideas—first emerging thirty five years ago (Sen, 1970)—became progressively and widely accepted and promoted by well-known experts from international agencies (Chambers, 1983; Cernea, 1994). However, preliminary observations—at least in the region which is the focus of this book—reveal that there is a huge gap between such formal intentions and actual practices. Subsequently, one of the most poorly answered scientific questions has been whether this gap is created deliberately or not, and hence to what extent this dichotomy between declared and hidden agendas is prevalent among development institutions.

Toussaint distinguished a proclaimed agenda and a hidden agenda in his study of the World Bank (2006). He argued that the former aims to reduce poverty through economic growth, free exchange, and uncontrolled competition for market forces with a minimum of public intervention. However, the hidden agenda, more concretely applied, aims for the submission of public and private spheres of all countries in the quest of maximizing profits within a capitalistic system. This implies the reproduction of poverty but not its reduction, the augmentation of inequalities and the stagnation of living conditions for the majority of the world-wide population, along with an increasing concentration of wealth. It is not the intention of this book to impose a definitive answer to these questions but to provide careful, thought-provoking analyses through the presentation of a range of historical and recent development interventions in a particular region of the world.

It would have been perilous to begin this chapter without providing a relevant theoretical and methodological background in order to familiarize readers with and enable them to understand why we have selected the particular direction followed here (*viz.*, a radical criticism of the notion of development as it is currently conceptualised and implemented) rather than an alternative approach such as a mitigated analysis of the positive and negative effects of development. The first part of this chapter justifies the theoretical position of this work with regards to development issues, in reply to the following questions: what is current mainstream thinking in relation to development and underdevelopment, and what is its significance? What are the uses and abuses of these two notions in the region under study?

These questions do not merely embrace the fate of the indigenous populations but provide a concise overview of the theories of development—explicit or implicit—that are commonly imposed upon indigenous societies in the ensuing phases of implementation. Inevitably, one then needs to go beyond academic theories and analyse

institutions and actors; hence the sub-sections that follow scrutinise the chain of key players in development insofar as these social actors, and the institutions they belong to, significantly influence the programmes of which they are a part.

The second part of this essay explores the current modes of intervention that prevail—or tend to dominate—in the region, with special attention to Ratanakiri province in Cambodia. New concepts have enriched theories of social development and transformed classic approaches in many ways. But the forms in which new ideas have been understood and applied remain little discussed, at least in the region under analysis. Our approach is to scrutinize the four prevailing tendencies accompanying development interventions, and to examine how these have been concretely implemented to date. Attention is given to how relatively recent development concepts have resulted in the design and implementation of initiatives by development practitioners, and the respective responses of native populations. Where available, short empirical case studies will be presented to elaborate our argument, also referring to other general studies with this goal in mind.

The third part of the essay extends the analysis of the challenges created by development, by adopting an anthropological approach and presenting development neither as a predestined fate nor as a condition, *per se*, but as an option, something that can be discussed, challenged, and even rejected by local populations. Decades of social science research, both academic and applied, have provided new insights regarding some of the deductive reasoning often characteristic of development programmes and their agents. It would be an exaggeration to claim that nothing has been achieved or no exchanges have taken place as a result of the extensive communication systems that have been established and the skills applied in the name of development. However, the facts and figures available, coupled with various testimonies supplied by the scientific literature (not only in the region considered here) raises scepticism about the results obtained. With few exceptions, such as Brazil (Ruellan et Verfaillie, 2005), there is a clear attempt to transform indigenous populations into compliant model citizens who accept the same rules of behaviour and aspirations as the settled populations of the lowlands (McCaskill and Kampe 1997; Decharin, 1988; Hickey, 1982).

The last part of this essay proposes an alternative approach to development. Yet we must advance that neither a ready solution nor a unilateral answer are offered; a key to open all doors is not a good key and may not be interpreted as such by local actors. On the basis of material presented in the first three sections, this final section proposes moving beyond the conventional tendency of accepting development as an inevitable given, and questions what development means to native people: what are their representations and expectations of development and their ability to intercede in a process which is directed at them? This anthropologically correct perspective is vital, but not sufficiently productive on its own. The point is

not only to understand vernacular categories of thought. On its own, this approach may simply result in cultural fantasies which idealize and exoticize traditional societies. The perspective which has been chosen is to identify the ways in which members of indigenous societies respond to social change and economic pressure. In short, how they react to development interventions. Moreover, understanding the dynamics which shape social relations may enhance our capacity to reorient, and if possible to facilitate, the visions of development which are being constructed by indigenous populations.

## 2. Successive Changes in the Conception and Application of Development

Thousands of books written by development professionals and social scientists from various disciplines have already prompted considerable reflection about the aims, relevance and outcomes of socio-economic development in southern countries. Demonstrations and controversial ideologies have highlighted the necessity of development, without clearly explaining its meaning. It has generally been understood as a quest for facilitating economic growth, social welfare, political freedom and, more recently, ecological sustainability. Certain authors, particularly socio-anthropologists, have pointed out the acuity of the approach when dealing with indigenous populations (Smith, 1999), who are frequently referred to as minority groups even if they still constitute the demographic majority in a given territory. This is the case in Ratanakiri and Mondolkiri provinces in Cambodia, but also in southern Laos and in the central highlands of Vietnam. It is nonetheless reasonable to assume that most of the populations in the South are similarly, if not identically challenged by development. The purpose is not to enter into the existing debate concerning technical and social methodologies for development. There is no need to philosophize whether external interventions in the southern world should occur or not. *They are already happening and it is impossible to revert to the past*. The critical question is how to deal with such phenomena. Thus, two aspects of development continue to hold our attention: firstly, we scrutinize speculative statements, which, though primarily based on westernized visions of the world, have become explicitly integrated within some of the leading theories of development, including those which have largely remained theoretical. Some neglected areas which are either given little importance or have been forgotten will also be considered. Development is a process which includes a chain of actors, including international experts, national planners, decision-makers, non-governmental organisations and, more recently, representatives of local communities. All these social actors—and we refer to them as either social or political actors in this essay—affect the content and direction of development practice according to their convictions, ideologies and actions. This is why, without

entering into a detailed analysis that would be beyond the scope of this book, it is essential to contextualise how social actors behave when they are professionally or voluntarily, engaged in development initiatives.

## 2.1 The Origin and Legacy of Development

Change is a constant in every society. Tracing the links between development and social change, Polyani was one of the first analysts of the 1940s to highlight the political and economic origins of the great transformation that led to the collapse of 19th century civilisation. He argued that the emergence of an international market that would force human beings to adjust to economic forces could not take place without eradicating the human and natural foundations of society, without destroying the essence of mankind and transforming the environment into a desert (1977). His analysis does not fully capture the impact of modernization but it provides a prophetic vision if applied to the contemporary world. A global and irreversible movement has been created, and Polyani's own position is reflected in the vast universal challenges posed by development that other scientists subsequently investigated.

Development *per se* has always existed, but it became formally institutionalized after World War II. During this period the entire endeavour was dominated by engineers and economists (Ditcher, 2003). The imposition of a western way of life was a given, and local people were perceived of as passive recipients and hence completely excluded from the planning and implementation process. It was believed that the benefits introduced through specific initiatives, like the distribution of particular technical equipment for instance, would eventually and naturally trickle down to deprived populations. For a long period of time, infrastructure development, planning and engineering were the main components of development interventions, together with knowledge transfer and technical assistance. A one-dimensional concept informed these interventions: developers had important knowledge as-yet-unknown to the underdeveloped world and therefore the privileged nations had to teach the leaders of poor countries how to progress.

The ways in which southern rulers received and responded to the developers' message were telling. In Cambodia, for instance, King Preah Norodom Sihanouk launched a massive campaign in the early sixties aimed at improving the lives of indigenous people in the highland areas of Ratanakiri province, through an imported model of development that brought new rural technologies, adapting know-how and human resources from the plains. Almost nothing remains of this intervention, although some have argued that it had a huge cultural impact, such as the transformation of traditional clothing and some organizational features (Joanna White, 1996). Sihanouk's approach reveals how national leaders—at least at that time—not only felt

responsible for the future of their population but strongly—and sincerely—believed themselves to be appropriate actors for introducing such progressive programmes.

Although the number of NGOs grew in most of the southern countries during the post-war period, large international agencies such as the World Bank barely engaged with them at that time; indeed, there was a reciprocal lack of interest (Dichter, 2003: 61). Nonetheless, the complexities of doing development, as experienced by field workers, resulted in the recognition that development is a multifaceted and multidimensional process. The NGO presence expanded dramatically in the eighties and NGOs began professionalizing. Interventions related to investment, economic accumulation and physical infrastructure remained popular, but new elements such as nutrition, education, health and agriculture were also included under the auspices of the basic needs approach. The trickle-down theory became virtually obsolete and was replaced by the promotion of growth with equity. There were increasing attempts to establish integrated projects, although many NGOs continued to specialise in specific niches of development. A similar situation now prevails in remote provinces in Cambodia and in the southern part of Laos.

### 2.2 Development Theory in Transition

At present, three main trends can be identified; they can be complementary but are at certain points contradictory. The first substantial change in approach began sporadically in the seventies but took effect in the eighties. It began with development practitioners' realisation that it was meaningless to impose ready-made solutions on local populations or governments. A shift in the development paradigm emerged: local people, aware of the nature of their own problems and aspirations, began to attain official recognition and be considered as partners in activities aimed at improving their lives. Concepts of participation, empowerment and self-governance were germinating, even if these were not accepted by all. Although these discoveries are now considered fundamental, it is worth recalling that it took about thirty five years (from 1945 to 1980) for it to dawn on the Western world that it was unrealistic to promote development without due cooperation with the people for whom this phenomenon was most concerned.

The second trend relates to the concept of sustainable development, proposing a so-called alternative perspective of development that is neither exclusively linked with economic growth nor with a productive model that automatically improves quality of life (Toussaint, 2006). Some scientists argue that it is not an alternative, strictly speaking, as it already existed in some societies to begin with. In fact, many developers and even scientists have mindlessly, and sometimes cleverly, parroted the discourse of sustainable development as it is a trendy issue, scores points for people

who refer to it. Sustainability has been primarily understood as a new paradigm for human development, founded on ecological awareness and the urge to protect nature. It initially emerged in the early sixties, convincingly proposed by experts such as those who joined the Club of Rome and scientists such as René Dumont, whose compelling work in Africa resulted in the well-built argument that the future of the planet will be compromised if economic growth remains the sole priority.

Wider scientific interest in this controversial argument emerged later, at an international conference in Stockholm in 1972, where environmental concerns were widely debated. For the first time, a consensus emerged that a proper balance needed to be found between social phenomena and natural ecosystems, according to the definition given by Godelier (1984). Twenty years later, in Rio de Janeiro, the environment was no longer perceived as a complementary component to development but as a fundamental basis for human beings' survival. The concept of sustainable development has thus become intertwined with that of social change, and ecological management began to be included within economic policies. One UN paper emerged as a key document in dealing with development, environment and politics (Bruntdland, 1987), explaining in detail how sustainable development should be perceived as a form of development which responds to the needs of present generations without compromising the capacity of future generations to fulfill their own. In a domino effect, sustainable development starting appearing in the same terms in official documents in locations as remote as Northeast Cambodia, Central Vietnam and Southern Laos; it has become a mainstream approach for international agencies, NGOs and national governments who were required to be environmentally correct in order to receive funds, even if some of these actors continued to pursue development policies that retained the scent of Malthusian doctrines.

The third trend has survived for decades, not only in relation to economies with high productivity but also in terms of population control. Lebras (1994), in comparing population growth and the evolution of food production, has demonstrated that the main problem is wealth distribution, not the number of persons to be fed. Along the same lines, a number of scientists such as Ariès have demonstrated that neo-Malthusian ideas rooted in theories of deep ecology are largely delirium (2002); nevertheless, such theories are progressing apace in Cambodia and Vietnam (Laos next?) with some powerful NGOs supporting them, to the detriment of local poor populations who are, for instance, denied access to their traditional hunting grounds and use of their traditional physical environment after it is deemed necessary to protect it from human interference. Most importantly, for purposes of this book, the latter trend, including neo-Malthusianism, advocates a homogenisation of the world, based on the belief that benefits can be shared equally across societies. Yet data and non ideological scientific interpretations from both past and present in the

third world reveal the exact opposite (Cernea, 1991; Stiefel and Wolfe, 1994; Nelson and Wright, 1995; Chomsky, 2000; De Rivero, 2001)

The older theories, privileging a top-down approach presuming an implicit domino effect, as summarized by the economic development historian William Arndt (1987), are not yet forgotten, but they are hardly supported by international agencies and non governmental organizations in Southeast Asia.

For positive and original guidance, one needs only consider how some of the most recognized modern scientists have re-formulated the concept of development. The economist Amaryta Sen, for example, provided an impressive analysis of economic development which was far from Rostow's assumptions (1960), linking development with economic growth. Sen's work is vital, not only for the elegance of his arguments or the wisdom of his jugement, but for the deep and burnished humanity that animates it (1999). According to Sen, one of the inventors of the concepts of empowerment and capacity-building, *the expansion of freedom* is both the primary end and the principal means of development. Development would thus consist of the removal of various types of un-freedom that leave people with few choices and little opportunity for applying their energies to what they consider valuable. Far from the well-trodden theories based on economic growth, the economist endorsed a philosophical but realistic attitude, demonstrating that with adequate social opportunities, individuals can succeed in both shaping their own destinies and assisting each other. He revealed how public interventions in a democratic state prevent extreme crises such as famine, hunger and epidemics (Dreze and Sen, 1989). Through his social engagement, Sen neither closes the debate nor proposes a ready-made solution: he merely provides human and sensitive guidance.

One aspect that is not as thoroughly considered in Sen's work is precisely to what extent the institutions concerned, or any of the proponents of development, are willing to implement his vision, or are in any position to attempt it. Further, nothing is said about negotiation processes at the grass-roots level. It is apparently assumed that developers will ensure that their programmes are compatible with the values and sociocultural forces prevailing in the lives of local populations. In other words, Sen, who has always advocated for the articulation of people's own aspirations, appears to have excessive faith in international agencies and other development professionals.

Other innovative approaches under the heading of a complex systems theory have been influential in classifying the development movement into four successive phases: Crisis, Rupture, Resilience, and Equilibrium. The responses of indigenous societies to socio-economic change could also, perhaps, be viewed according to this theoretical continuum. Interestingly, this apparently recent theory is not new: it is rooted in the Hindu conception of the evolving life cycle, whereby deconstruction leads to another form of advanced creation. Contemporary scientists are therefore rediscovering ideas

that were meticulously shaped by philosophers more than three thousands years ago. On the other hand, the complex systems concept validates the ambivalent neo-liberal economist Milton Friedman's shock doctrine, arguing for the need to impose change rather than deliberating and striving for a global decision (Klein, 2007). According to Friedman, whose statements became—and still constitute—a Bible for powerful countries and regimes, a solution, to save all of humanity, whatever its purity of intent, will never be accepted by all societies and cultures, unless the latter are in a state of terrible shock. In other words, populations will accept a deal, related to a particular orientation of development for instance, only if they have previously suffered a socio-economic disaster and are in a state of panic. In some cases, such debacles have to be provoked in order to generate an agreement. But these so-called compliant responses, which other scientists have disguised behind the phenomenon of resilience leading to a further equilibrium, are patently and ethically difficult to justify. And they are far from the esoteric and attractive Hindu and Buddhist notion of life as a progressive evolution.

In terms of results, outcomes and opportunities for replication which is an obsession for developers, it has been said repeatedly that most shortcomings of development projects are linked to differences of scale—micro, macro, meso—and the social realities with which projects attempt to engage. For instance, an anthropological study of a village in the forest provides specific kinds of knowledge that are difficult to integrate within the broader analysis required for macro-level development initiatives. Given this fact, which scale and what kind of understanding should be prioritised? Does the idea of development provide adequate space for the reality of indigenous populations or is it pre-defined to engage with local authorities, national governments and/or international agencies? Without providing ready-made answers, the decisive methodological approach is that it is no longer possible to consider the local without the global and vice-versa. Both are interfering and interacting.

In addition, the compartmentalisation of development approaches, due to the restricted scope provided by particular disciplines or sectors, results in a narrowness of observation and analysis, largely focussed on one aspect of the daily existence of target populations alone, while the incompatibility of social science and development theories means that an interdisciplinary perspective is constrained. All of these factors hamper scientific and human understanding of what is a complex reality.

The situation is further obfuscated by the growing fusion—confusion, even—of emergency aid and developmental operations. A seeming solution is the substitution of the concept of development—which at least may have a meaning for some indigenous populations—with two new methodological approaches related to the concepts of emergency and the poverty spectrum (Hours, 1998). It therefore appears that, at least in practice, sustainability seems to be, apart from the mere word, going out of fashion,

and the new deal is rapidly responding to more frequent catastrophic situations, such as epidemics and famines (Hours *in* Deler, 1998) and striving to reduce poverty (Stiefel and Wolfe, 1994). Even if non-economic indicators relating to poverty do exist, interpreting poverty as a disease as some international agencies including the UN tend to do, impedes any vision of development with broader objectives. One of theses broader objectives can be supporting a new way of living as a project, or proposing specific expectations for the future, which can be seen to have greater meaning for the people who are the focus of development interventions, *viz.*, the beneficiaries. It is worth mentioning that even if of all international agencies are convinced their interventions are meaningful, not all aid workers are systematically convinced of this utility; conversely, we cannot so easily infer that aid interventions are meaningful for local populations themselves, simply because the agency supposes this to be the case.

Poverty reduction programmes concerned with the provision of education, health-care, saving money, emergency relief and the provision of material goods, are basically founded on good intentions but remain problematic in terms of their ability to respond the to collective aspirations of targeted populations. Successful interventions may be perceived as a victory for the aid agency in question but have often, sadly, reduced societies to mere numbers; the latter figures are presumed to be satisfied with basic survival needs, and nothing else. Althabe (2002) asserted that both development and humanitarian interventions deconstruct societies into artificial compartments of analysis for their pragmatic ends, while, at the same time, underlying structures and causes of problems are not debated. Further, humanitarian assistance should not be confused with long term development as is too often the case amongst social actors working for NGOs.

### 2.3 The Incipient Post and Non-Development Discourses

Unsurprisingly, given the deadlock that emerged from previous approaches and theories, a school of commentators has more recently decided to deconstruct the entire concept of development (Escobar, 1995; Latouche, 1986; Rist and Sibelli, 1986). Some adopted a historical approach (Rits, 1996; Mendes, 1977), demonstrating that the values attached to the notion of progress, such as the harnessing and control of nature or the individual accumulation of material wealth, are culturally constructed and reflect a particular westernised ideology of development which is far from universal. One of the leading assertions is that economic indicators cannot be applied indiscriminately (Bonaiuti, 2001; Latouche, 2001). According to such analysts, the principal development approach launched by the West is an economic war of sorts, entailing the unconditional plundering of nature, the Westernization of the world, the homogenisation of the planet, and the extinction of cultural differences. Such argu-

ments, though not totally original, are intellectually stimulating, and encourage the pursuit of new alternatives for development (Latouche, 2004; Kothari, 1999). But the conceptualisation of alternatives suited to particular sociocultural contexts remains problematic. Sadly, some commentators from this ideological tendency and working in international agencies re-introduced Malthusian concepts as a pre-condition for the well-being of the people. Such theories resonated at the governmental level in Southeast Asia, at least in Northern Thailand and in the region under study, where the pursuit of national-level priorities is expected to result in a demographic decline of indigenous populations, reinforced by a social and economic invasion by the people of the plains.

Paradoxically, post-development is now being advocated, but if practices do not change then the trickle down effects may be similarly problematic. Another shift is suggested by the concept of non-development, but it is unclear whether this new approach can encompass the outlook of local peoples. Again, non-development or anti-development theories are social constructions elaborated by academicians and external actors, projecting their personal ideologies and convictions, and have not been systematically validated by local populations.

This is not to say that the borrowing of ideas from outside the milieu is in itself unacceptable, but this returns us to the initial problem: do indigenous people have control over their destinies and can they retain the freedom to respond to events occurring in their lives? Rather than tackling this problem in a roundabout way, De Rivero adopted a radical but contextual approach, reinforced by empirical case studies (2001). One of his key ideas can be briefly summarised: one must constructively include the people's own visions of development. A positive approach can therefore be undertaken through the identification of some of the parallel economies that exist in various parts of the world, with attempts to understand how these are embedded within particular sociocultural dynamics. Similarly, one of the founders of this school of thought, Wolfgang Sachs (1992), advocated for self-determination. He adopted a flexible approach, insisting on people's creativity as well as asserting that it is neither realistic nor ethical to deny people access to the decision-making process for changes occurring in their societies; it is important that local citizens make a proper contribution to and thereby take responsibility for their own future.

### 2.4 The Limitations of the Discourse as Applied to the Sub-Region

It is evident that the evolution of this development discourse, specifically in the chosen region of south-east Asia, is even more complex and less uniform than depicted above. Not all the theories outlined have been accepted and applied in practice. They are, however, well known and much debated. At the risk of generalising about

the dominant tendency in the region as a whole (detailed contextual, historical and geographical insights will be supplied later in the book), we would argue that development in the highlands is perceived as a necessity for the three countries insofar as the territory offers tremendous potential in terms of the land's rich soils, forests and mineral resources. People are a secondary priority, and are even perceived of as problematic because they inhabit the coveted land.

Geopolitical considerations are also important; the territory caught between Laos, Vietnam and Cambodia is vast. This leaves the billion dollar question unresolved: what kind of development would be suitable for whom? Firstly, all three national governments want their highland areas to become less isolated. Vietnam has already accomplished this with road-building, cash crop intensification, and the construction of markets, business centres, and small-scale industries. This model will soon be followed by Cambodia and, to a lesser extent, Laos. All national leaders have expressed the desire to exploit the highland areas separately according to their own socio-political agenda, but also to contribute jointly to a new economic platform by investing massively in infrastructure and equipment to construct dams, establish communication systems, develop a manufacturing sector etc.

Secondly, migration is encouraged, even the massive resettlement of populations from the plains to regions which were once exclusively inhabited by indigenous ethnic groups. This is especially true of Vietnam. These incoming migrants are not only supposed to fill a demographic void but to also act as a model for indigenous people to emulate.

Thirdly, local communities who have lived in the highlands for centuries are faced with new relationships and a multitude of challenges in terms of economic subsistence, cultural wealth and environmental degradation. The relative autonomy they used to enjoy is no longer acceptable to national planners and they are forced to participate in new, emerging forms of development focussed on the accumulation of income, both for themselves and the national economy. Social integration via economic development is the new order, based on the assumption that the effective introduction of new infrastructures will lead to social assimilation. NGOs assist local populations by encouraging—with a nod to sustainability and sensitivity to traditions—participation, empowerment and self-governance. Local governments are obliged to champion this new approach, at least to attract subsequent external funding, while local actors, in particular representatives of the civil society, are not able to direct the course of development, which is debated at top-level, closed meetings, and reserved for a handful of national and international decision-makers, including politicians, donors, and representatives of multilateral and bilateral agencies. At this point, it is worth pausing to consider how development is managed by the chain of social actors who are responsible for it.

### 2.5 From Theories to Institutions and Actors

A number of international authors, including René Dumont, Jean Ziegler and more recently Joseph Stiglitz, the Nobel Prize-winning economist and the former World Bank senior vice president, have examined the nature of the relationship between international agencies and national governments. Generally speaking, in spite of their nuanced convictions, the conclusions of the various commentators are equally depressing. In brief, local populations remain deprived, with only a small percentage of development funds actually reaching them. Stiglitz is slightly more optimistic about the future than the other two mentioned before, but is himself convinced that advanced industrial countries, through their direct economic interests—with the International Monetary Fund, the World Trade Organization and the World Bank following in the same course—are failing to do as they should, and are thereby rendering the lives of those in developing countries even more difficult (Stiglitz, 2006, IX).

In countries such as Cambodia and Laos, however, the dominant economic theory that national development is impeded by a lack of domestic capital persists. Therefore such countries require external funds, coupled with more acceptable governance, in order to accelerate economic development. To access those external funds there are three principal options: international indebtedness, foreign investment and an increase in exports. This context is having a growing influence on the development of the highland regions concerned, where huge programmes are in preparation. A process of increasing dependency (upon external agencies) is thus created through macro-economic manipulation, founded on the belief that local people, despite their skills, would not otherwise be in a position to exploit their physical environment and the available natural resources effectively. In Ratanakiri province, for example, indigenous farmers are being encouraged even by NGOs to cultivate new cash crops such as cashew nuts and soybeans, as was the case with coffee amongst the highlanders in Vietnam (see Fortunel's contribution, Chapter 14), whereby most of the raw produce is bought at a low cost and processed in a neighbouring country. It is certain that alternative solutions could have been identified, less dependent on either foreign investment or unnecessary exports. The latter entails, in the case of Cambodia at least, that the final product returns to the country at a higher price after being processed elsewhere. Marketing alternatives could have prevented the local population from contributing to extensive deforestation through such cash-crop cultivation.

In addition to market forces, from which indigenous people receive no protection, neither from their governments nor other external players, the question of national control is also important. The history of the relationship between various national governments and highland populations is too long to present in detail, but these have oscillated between rejection, integration and assimilation.

Rejection occurred at a particular moment during the American War and at times of internal conflict in the early seventies: some representatives of indigenous populations were appropriated by U.S. policy as rebels and dissidents that could be employed by American troops in parts of Vietnam and Laos. In some respects, this may be compared to Khmer Rouge employment of highlanders in eastern Cambodia (see Christel Thibault's contribution, Chapter 6). It is difficult to assess how indigenous people have been perceived by local governments and the rest of the population as a result of these historical engagements in combatant roles, and what the implications for policy-making may have been. One point should at least be emphasised: this association has never been systematic, only sporadic. Indigenous populations were, in fact, the first victims to suffer under the totalitarian regime of the Khmer Rouge (see Sara Colm's contribution, Chapter 5). The case of Vietnam is particular: when a communist government emerged in Hanoi, an autonomous province was promised for the highlanders, whereas the leaders of the republican South simultaneously pursued the opposite policy of integration (Guérin, 2003: 95). In all likelihood, the aim of the latter was monitoring the movement of these populations in order to better control their (largely unknown) territory.

The concept of national governance has to be taken into account in the study of external interventions. Multilateral agencies and NGOs cannot operate unilaterally, even if they would, in fact, prefer to work outside of local governments. The golden age of independent operations is over, as some of the development actors met in Cambodia and Laos reported with regret. International agents now have to negotiate with local planners and public servants. Each country, therefore, has its own particular filter whereby its national institutions re-appropriate and reorient foreign aid.

Much can be said as to the differences between the absorption and use of foreign assistance in Vietnam, Laos and Cambodia. If any common trend can be identified, it would probably be that of natural resource appropriation and land hoarding with two main tendencies: either people are jockeying for position to secure their own land as quickly as possible or are doing it in anticipation of other people expropriating it from them. Generally speaking, it has been said and resaid that he role of local power at the village level should also not be forgotten because it is not uncommon for traditional structures to maintain control over the entire social system. This means that no innovation can take place without the support and approval of traditional leaders. However, this is a rare phenomenon in the selected region and consequently we cannot compare the present contextual situation with African countries where, if most specialists are to be believed, no change can be proposed without sufficient dialogue with the traditional power hierarchy. The situation is very different in Cambodia and Laos, at least. Highland villages in this region of Indochina do not have a steep hierarchy. Traditional local leaders do not give any instructions; on the

contrary, they are supposed to take into consideration the villagers' requests and are often servants of their own villagers. During personal enquiries, a village headman stated that he would never give any orders countering the will of his fellow villagers. The recent emergence of new socio-economic structures can nonetheless be observed in some villages. In some locations in the provinces of Ratanakiri and Mondolkiri in Cambodia, a social elite has emerged among indigenous families, which sometimes has important economic and social privileges. Most of these families have access to the best land located near roads and the best job opportunities at the district level, as civil servants or military personnel. With their new advantages, these families have left their fellow villagers far behind. This emerging elite has increasingly usurped the influence of authentic leaders and religious spiritual and cosmological leaders in that they are more readily called upon by development specialists to act as mediators and intercessors, since they can communicate with villagers and are therefore in a better position to us and abuse them.

The development process is of course not linear, but stems from complex institutional interactions. Yet this truism is insufficient to portray the dynamics of this process. Development agencies are run by social actors and, needless to say, the outcomes of any intervention are conditioned by the nature and quality of the involvement of these actors. This is why a further underestimated aspect of development is that certain professionals misuse their position, not to mention the implicit constraints (logistical, monetary, organisational, hierarchical and political) that prevail within the institutions employing them. It has already been argued that development personnel are frequently driven by their own ambitions and are more concerned with enjoying a comfortable standard of living rather than devoting themselves to ameliorating the lives of others, as they should be (Dichter, 2003; Hancock, 1989). Up to a certain point this behaviour is understandable; everyone likes to live comfortably. What is more worrisome is that, practically—in the hidden agenda—development actors' real priority is the pursuit of their own personal and material well-being (Harvey, 2003; Klitgaard, n.d.).

For example, monitoring of certain development activities in Thailand has revealed that the exclusive interests of government officials have a major impact on rural development efforts, as claimed by Decharin (1988, cited by Kampe, 1997: 149). Everybody is aware of this fact but the subject remains taboo because criticising institutions and individuals may affect career advancement and an agency's reputation. Opportunistic, insincere technocrats and self-centred officials can be found in senior positions in many agencies. Not only do they impede development efforts, but it is not easy to get rid of such "experts" because of their solid underground networks and prestigious positions. Above all else, aid agencies will systematically try their best to avoid any exposure of their dull practices and behaviours. Such an apparently

inconsistent but, in fact, very well-planned situation is reproduced throughout the whole southern hemisphere. On a wider scale, bilateral aid agencies, briefed by their own governments, manipulate development assistance as an indirect means of imposing political power (Chomsky, 2000), and thereby transform the already-distorted concept of aid into an expression of dependency and power (Chomsky, 2005). In light of this scenario, this book will provide various case-studies discussing this process.

These facts are not new, but are essential to understanding the context for the situation in the sub-region that is the focus of this work. Even more damning with regards to institutions and their employees, Graham Hancock, in his book *Lords of Poverty* (1989), went as far as to accuse the international aid system of enacting a sustained strategy aimed at maintaining Western control over, and oppression of, poor countries. He argued, supported by reliable data, that development is a meticulously yet subtly constructed political process that largely works well for developers but much less so for the poor. Hancock should probably not have categorised development actors as a homogenous gang, although he did exclude small voluntary agencies from his analysis, and largely targeted large, official aid organisations composed of bilateral and multilateral agencies, including the United Nations; these, he claimed, live at the expense of the poor. Interestingly, many observers who previously worked in the development field cannot deny that underdevelopment, or its fabrication, offers the opportunity for a privileged class of individuals to sustain a comfortable standard of living (Dichter, 2003; Mosse, 2004). For some of them, it seems that once they have worked on development programmes for many years, there is a need to admit to the mundane aspects of their work, or to question some of the activities in which they were involved. This new, "confessional trend" is too common to reference in full here. Many books of this orientation have begun to emerge. Various encounters with aid professionals in Cambodia do confirm this tendency.

Such self-criticism is not confined to important aid agencies but also to international NGOs, and even local NGOs. The latter, while theoretically operating at a grassroots level, in fact promote a more ambivalent approach by identifying, for instance, who is eligible to act as a compliant leader at the grassroots level (Deler et al., 1998). Once again, local peoples' voices are still barely represented locally; they remain secondary, or even absent. Unsurprisingly, the implicit rationales and ideologies framing the development process are rarely questioned; external interventions and associated societal changes are considered to be unavoidable, and it is, similarly, accepted that all interventions should be supervised by outsiders. Not necessarily controlled, but this is essentially the case.

Along the same lines, although from a macro perspective, there is a growing literature that demonstrates the role of foreign aid in the global economy (Burnell, 1997) and scrutinizes the ravaging effects of foreign aid, humanitarian assistance

and international charity (Maren, 1999). These systematic condemnations often lack objectivity and neglect the simple fact that the actual situation tends to be more balanced, with various agencies and social actors vehemently struggling and debating amongst themselves. As an illustration, a number of international NGOs with activists promoting a grassroots approach, such as providing advocacy dealing with legal or scientific issues to assist locals, are active in Cambodia. They are striving to re-balance the unstable situation whereby development initiatives do not reach the poor and can be seen to have a negative impact on local culture. One such organisation lobbies projects' beneficiaries to make them aware of the funds that are supposed to reach them. This financial monitoring is scrupulously organised in co-operation with the local government. Beneficiaries of the project are expected to act as "watchdogs" over the large donors and, ultimately, to monitor the institutions in charge of their development (Greenhill, 2005).

Similar modes of social mobilisation emerged over the past fifteen years in India under the heading of the "social audit". It is, therefore, a new, rare and courageous initiative that is being pioneered in Cambodia. The objectives of this approach encouraged by one NGO with long experiences in India are clearly defined: to stimulate the emergence of civil society by providing people with the knowledge and tools to control what benefits should reach them and, simultaneously, to take charge of their own future. This is clearly a constructive step now occurring in Ratanakiri, but one may wonder whether or not it will ultimately enable the Highlander Association in Ratanakiri, funded by this organisation, to participate in negotiations between the government, international agencies and other NGOs. Socio-political forces at the provincial level are predominantly controlled by ethnic Khmers who nowadays try by any means to prevent the mobilisation of indigenous society

## 3. Effects and Implications of the Theories in Vogue for Indigenous People

The ideas detailed in this section are not merely restricted to the realm of the improvement of indigenous people in forest areas. Notions of participation and empowerment, for example, are currently promoted everywhere in the South, in both urban and rural areas. Nonetheless, the present chapter focuses on the development ideologies and associated interventions that dominate a number of indigenous societies that have sociocultural affinities and inhabit a particular geographical region. The territory under scrutiny in this work will occasionally be extended to demonstrate similar scenarios elsewhere: experiences in other locations with indigenous or local populations can be instructive.

Without formulating an exhaustive list of development-related concepts, this analysis examines concepts that have become fashionable in Ratanakiri province,

a place selected not only as representative of a general situation, but because the central plateau was the location for earlier academic research (Joanna White, 1996; Bourdier, 1995). Four prevailing notions of development will be reviewed: Sustainability, Self-governance, Empowerment, and Participation. A relative consensus has been established amongst development protagonists around these four magical keywords; and that is why they constitute the core of development strategies in the province.

### 3.1 Sustainability

The first argument is that development interventions should be *sustainable*. Originally, this notion of sustainability emerged as a means of criticizing the predominance of economic growth as a development goal. Sustainability has had various definitions, from technical inputs aimed at minimizing ecological losses, to the extreme notion of sustainability as presented by staunch ecologists (Di Méo, 2006: 56). In the analysis that follows it can be understood as an objective of perpetuating a process, be it economic, social, cultural or environmental. Sustainability implies a form of development which enables present generations to fulfil their needs without compromising the capacity of future generations to meet theirs. Apart from the fact that the formula can be interpreted as inexorably true, evidence of small-scale sustainability remains partial and tenuous, depending largely on processes and opportunities, as defined by Sen, rather than on the convincing evidence of outcomes. Sen's view of freedom includes both the processes that allow freedom of action and decision-making, and the actual opportunities that people have, given their personal and social circumstances (1999: 17). As such, it relies instead on a rough set of indicators that are not clearly articulated nor adequately measure sociocultural dynamics. Hence begging the question: what is it that is to be sustained? Is it the population or the project? In some contexts this question is less ambiguous. For example, the anthropologist Joanna White mentions another definition of sustainability which she often comes across: for project benefits to be sustained after external support has been withdrawn. Otherwise, definitions are often vague and elusive. Is sustainable development something aimed at benefiting all people, or only some? Do specific interventions transform social dynamics in a way that is welcomed by villagers or, conversely, result in the extended duration of projects which maintains a control over the population under the pretext of supporting, monitoring and evaluating beneficiaries? Although this control is often the outcome, it is questionable whether it is a pre-conceived aim as such. Mosse's arguments (2004a & 2004b) lead us to inquire: are projects rendered sustainable primarily to benefit the developers, with the implementation phase going on forever in order to maintain the developers' presence?

It is not certain that a society can properly understand and accept the notion of sustainability in the form that it is often introduced by developers, without a proper cultural understanding of the local setting. Let us give one example not related to the environmental concerns with which sustainability is frequently associated, yet demonstrates the primordial importance of cultural context. Once, in a number of Tampuan and Kreung villages, sustainability through self-reliance was dictated by development actors in an attempt to reduce people's dependence on poor quality local health services. As the state system functioned so poorly, it was argued, villagers should learn to manage their own healthcare. Native people, both men and women, were required to learn basic elements of hygiene that, according to welfare specialists, was critically lacking in the local setting. The outcome was a certain perplexity amongst villagers, whose knowledge and traditions were completely destabilized by this process. Most of their cultural beliefs were regarded as mere superstition by development practitioners. Both Tampuan and Kreung wanted to continue to perform sacrifices and observe their religious ceremonies for pacifying the spirits of the forest, whom they believed to be causing disease. Their own perception of sustainability was firmly rooted in this cosmology; their everyday lives were intrinsically founded upon the maintenance of their relationships with cosmological and spiritual forces. They live in a world where their physical environment—the forest, water, rocks—is living and spiritually powerful, while in Western modes of thought these facets of nature may be considered as something potentially valuable, but are perceived to be external and inanimate. Consequently, most villagers were unwilling to modify their behaviour and traditional practices as part of a process whereby they were supposed to learn about disease prevention and treatment. According to their indigenous beliefs, good health could not be achieved by the western model alone. The causes of disease were fundamentally linked to social order and kinship relations, not merely with a lack of hygiene. Otherwise, as villagers argued, why do certain diseases affect this person and not another?

The cultural representation of health within such communities was socially centred rather than medically centred; this partially explains why people were having no objection at all to utilise an external health institution as an augment that would, in all likelihood, treat the symptom but not the cause. Under such circumstances, indigenous people did not want to rely exclusively on themselves, as was being promoted by the sustainable development specialists. On the contrary, their priority was for the formal medical infrastructure to provide improved and more accessible services. They preferred to delegate aspects of health treatment that they did not manage well themselves (e.g., provision of drugs, medical diagnosis, physical check ups) to this outside system, while maintaining control of the other, most important aspect of the origin of the sickness, involving the re-establishment of an equilibrium

with the spirits through sacrificial appeasement. On the one hand, they wanted to continue following their traditions—a preference generally frowned upon by outsiders who considered traditional beliefs nothing more than superstitions and obstacles to development, and deserved to be eradicated. On the other hand, villagers were willing to strategically accept certain benefits offered by modernisation. The lesson is that the proper implementation of a viable project should have articulated those two prevailing considerations. At the same time, while development experts thought that creating self-reliance would solve the problem for both parties—for the natives and the developers themselves, as the latter would appear politically correct for enacting this measure—it backfired because of this lack of vision.

### 3.2 Self-Governance

With regard to the second concept, self-governance, this is a politically correct approach promoted with the aim of minimising external interference and control. At the micro level in Cambodia and Vietnam, the situation is especially ambiguous in the region predominantly inhabited by the so-called primitive peoples, whose territory lowland Khmers and Vietnamese have long coveted (Guérin et al., 2003). With the concept of self-governance, comes the notion of endogamous development. While the concept is often supported in project documents, it is scarcely supported in practice in Ratanakiri, as well as in neighbouring provinces and countries inhabited by indigenous people. Condominas (1957, 1971) and Dournes (1980), both of whom lived amongst ethnic groups in the central highlands of Vietnam for extended periods, demonstrated that in the absence of any federal system the village was the highest political and social unit amongst indigenous communities. Even when extra-village socio-political relationships existed within groups such as the Jarai (Dournes, 1977), the symbolic power attributed to charismatic individuals—the three *sadet*—could not be compared with the concept of political power prevalent in other societies. Indeed, the village as an autonomous and coherent unit still persists in remote villages in Laos (Chauffard, 1907) and in Cambodia (Bourdier, 1995). This atomised structure is not unique to the region, but existed in South America (Clastres, 1975), the pacific Islands (Sahlins, 1980) and in many other Asiatic territories such as the Philippines (Conklin, 1957). It is more appropriate to use the past tense to describe these autonomous systems because they have been placed under considerable pressure by colonial powers and national governments to become integrated within the administrative structures of wider society. They were frequently obliged to conform to an organisational process that was used to pacify them in colonial times (Guérin, 2003), and thereafter domesticated them, to borrow a phrase from McCaskill and Kampe (1977), under the pretext of effective implementation of socio-economic improvements.

Under such circumstances, how can development professionals continue to promote the idea of self-governance, regardless of indigenous development which is a separate issue, when they have been complicit in attempts by state and bilateral agencies to diminish the previous strength and autonomy of the village as a coherent unit? Indeed, the autonomy of villages, along with the absence of any western democratic conception, was always their strength.

While it is not possible to rewrite history, it is worth noting that the systematic undermining of village autonomy continues. In the provinces of Ratanakiri and Mondolkiri, many villages have been virtually erased from the map or, at best, have survived merely with the remains of so-called development initiatives devoted to leadership programmes that have not resulted in the emergence of authentic leaders devoted to the community but, rather, in the appearance of corrupted impostors and opportunistic persons. As a result of such initiatives, most attempts to strengthen villages have been futile, if not counterproductive. Creating artificial gatherings, organising village group meetings and establishing inter-village networks amongst selected people are neither logical nor attractive propositions for most villagers, except for those who may be able to extract personal prestige, economic advantage or social recognition from such undertakings. In one particular district, it was directly observed that families and individuals who managed to obtain such privileges by no means represented the interests of their village. Thus, a social rupture was created as a result of promoting presumed self-governance. The actions of individuals who are provided with the opportunity to enhance their power as village 'representatives' have been counterproductive to the general welfare of their community and, on many occasions, have strengthened the privileges of either their own relatives and lineages, or families with whom they have spiritual and ceremonial connections.

### 3.3 Empowerment

Empowerment is a further compulsory consideration. It is an esoteric word, associated with capacity-building. It will never be rejected because it symbolizes the opposite of vulnerability and is considered a prerequisite for participation. It generally appears as a first step in development projects which claim to act against discrimination and marginalisation. It is regarded as a non-monetary indicator of well-being. Theoretically, the empowerment of an endangered society would represent an ideal stage of realization of its own condition, such that it would be shared, or at least distributed, among its members (S.C. White, 1996). In Ratanakiri we observed that other social functions have been promoted under the auspices of empowerment: capacity building and social strengthening. Deeper scrutiny is required in order to understand how a consensual concept can be diverted from its original intention.

An example: in a village, near the capital of Ban Lung, there was an attempt to explain to local residents how to protect their land, and on what basis villagers could either prevent or allow outsiders to cut trees in their communal and protected forests. This exercise was totally justified as land issues are one of the most sensitive topics in the province. The alarming extent of land appropriation has been highlighted by the main NGO monitoring this issue on an annual basis (NGO Forum, 2006) and by a courageous national human rights organisation called Adhoc. It was, therefore, completely reasonable for some other NGOs to inform the indigenous population about their rights and to make them aware of whom they could turn to in situations of conflict. Meetings were arranged and those who attended were able to ask questions. The assembly was supposed to represent the village and attendees were expected to share the information which was imparted to other villagers who, for various reasons, were not able to attend. The group was not, in fact, as representative as planned. Questions related to local governance were apparently neglected. Heads from the government administrative system including village chiefs (*mephum*), commune leaders (*mekhum*) and district leaders attended, together with other middle-aged people and young adults. All of them were well-off farmers who had already obtained the most coveted portions of land bordering on, or close to, the main road. With one fortunate exception, neither women nor poor farmers participated. They had simply not been invited. The encounter can, in fact, be understood as an exclusive meeting, limited to an emerging elite who had managed to secure new areas of land, frequently at the expense of the poorest families. Those who were in more need of awareness-raising of the basic procedures to be followed in cases of land expropriation, or other inappropriate use of their natural environment, were not present. Their absence was not because of their lack of interest but because the organisers of the meeting, together with some of the wealthier leaders of the village, considered it too late to include them, or that their participation was ‘not necessary. Hence the meeting empowered the already empowered and widened the gap within the so-called community. The village was no longer—and had probably never been—an ideal community sharing similar ideas, strategies and perceptions of life. But any existing tension became exacerbated by the selective sharing of information. It was found that, some of the empowered villagers were trying to appropriate areas of forest located in other villages for their own use. With the information they obtained during the empowerment activity, and due to the continuous support they received from the development staff probably unaware of what was happening, they knew exactly how to negotiate with other villagers to secure land without compromising themselves.

This anecdote is far from unique. Other similar cases cannot, however, be classified as an internal issue amongst highlanders. Khmer officials working in the public

sector at district and provincial levels are sometimes establishing networks with villagers who are willing to sell land (generally forbidden since 2001), in exchange for symbolic privileges, cash, or other material goods. As detailed in a similar case study from India, government staff is able to exploit their official role in their negotiations with village intermediaries. The latter are more capable of taking advantage of their fellow villagers or inmates (Hildyard et al., 2004), thereby any development initiative initially aimed at benefiting all villagers can lead to the exacerbation of existing inequalities. Interestingly, some villagers from Ratanakiri who did not receive any benefits from the project detailed earlier, yet who attended some meetings, were surprised that the empowerment session was evaluated according to the number of people participating, rather than the social distribution of the people present or the impacts of this initiative.

Unsurprisingly, quantitative data are emphasised in development because they can easily be transformed into the targets and indicators of achievement required by most donors. The recipients of donor funding are obliged to generate data, statistics and percentages. There are numerous economic and development models which are dedicated to measurement and evaluation, insisting on numbers. We will not digress into these details here, but one has to wonder whether developers should be satisfied with such measurements: what does it mean to mention having 'empowered' more than one hundred adolescents in four indigenous villages through literacy training, for example, if no comprehensive detail is known about the quality of and the concrete outcomes of this so-called empowerment? Heckel and Stirrat (2004) similarly question the notion of empowerment as an implicit, liberating motto which has recently, and suddenly, been promoted by the World Bank, NGOs and local institutions. Hence empowerment can be considered a controlled outcome, designed by external agents in order to enhance the capacity of a handful of individuals, often to the detriments of others. This is certainly the case with the majority of village chiefs in Ratanakiri, who are in command of their actions, and are wooed by civil servants, but do not represent the interests of the whole village through their sale of land, and leasing of village territory to non-indigenous people. In fact, appointed village chiefs are messengers from the administration and they are themselves manipulated by higher authorities for influencing the other villagers.

The new development orthodoxy which stresses empowerment of marginal groups, a distrust of the State, and celebrates indigenous knowledge still begs an important question: it is not necessarily a question of how many people have been empowered with a particular set of tools, but for what purpose? Theories of empowerment cannot be separated from the application and meaning of this concept in a specific setting. Of course, other forms of empowerment are promoted in other parts of the world but, to prevailing fieldwork information, they have hardly reached the

relatively remote territory of south-east Asia inhabited by more than ten thousand highlanders.

### 3.4 Participation

Fourthly, participation is an act of faith for development, something all development practitioners profoundly believe in, and rarely question (Cleaver, 2001: 36). The concept is closely linked to that of empowerment. Two social scientists, Chambers (1983) and Cernea (1991) were the leading pioneers of this notion even if other scientists such as Sen had first proposed it some time earlier. Both Chambers and Cernea, the latter worked for the World Bank as an anthropologist, devoted much of their professional lives to demonstrating the necessity of a grassroots approach in which local people are the main actors. They were instrumental in a monumental switch from the classic top-down approach which prevailed in the seventies and into the eighties. Participation has even been presented as a new paradigm for development (Chambers, 1995), but with careful qualifications of which any proponent of development should be aware if s/he is to avoid the risk of transforming the message of participation into tool for manipulation.

In Ratanakiri, and in neighbouring areas referred to in this book, the concept of participation certainly merits greater scrutiny. Numerous villages have attempted to take their destiny into their own hands, strengthened to the desire of villagers to work together as a cohesive group. Some have succeeded but not all. Given traditional village cooperation, the notion of participation is not something totally new in the highlands. It could, as some development agents argue, be more accurately termed collective action aimed at enhancing social well-being (cited in Smith, 1999). Such collective action is prompted by the potential it offers for improving people's living conditions and often emerges in response to social change. For instance, Tampuan and Jarai families of all lineages traditionally joined together in social, seasonal and religious ceremonies. Historical and social circumstances gradually led them to withdraw some rituals or add innovative components to their ceremonies and to their agricultural work. Whatever their purposes, both these behavioural and spiritual practices are supposed to maintain peace, solidarity, and guarantee better living conditions. Other examples could be given in relation to other activities, such as the selection of seeds for new plants, cash-crop farming, experimental marketing strategies, the adjustment of customary laws to new social contexts, collective decision-making and mobilization in relation to the improvement of village infrastructure. Populations gather together and share ideas. They unite, exchange, and innovate. They can also fail to cooperate, but it is not always so. In that respect, indigenous people have never required the presence of development actors to enable

them to understand and to exercise what outsiders call with the phrase participation. Or, rather, what implementers often really mean: an oriented action already decided which can be considered local participation.

In fact, development workers, even some academicians and decision-makers, have a distinct definition of participation. Broadly speaking, it relates to something proposed, articulated and organized in cooperation with the local population for a specific purpose. It implies, therefore, a certain level of external intervention. Participation is generally interpreted by development practitioners as something new for local populations who are generally considered to be too structurally weak and/or inexperienced to initiate constructive and innovative activities alone. But when looking more closely, participative mechanisms within people's daily lives are predominantly available. One should have a keen eye and the time to identify them. Development interventions introduced from the outside do not occur in a vacuum. Any culture has the tools to enable innovative activities, according to their own sociocultural rationale and context. The well-known anthropologist Marshall Sahlins used to demonstrate the universality of these internal dynamics in most of his work (1980). But these phenomena should be deciphered before new forms of behaviour and modes of thinking, often alien to indigenous mores, are introduced. Highlanders' perceptions of participation are intrinsically linked, but not restricted to, an existing and well-organized spirit of collective action such as that prevailing in Northeast Cambodia.

Participation is appealing in the context of the official development doctrine for two reasons. On the one hand, development is no longer a unilateral process, but one of negotiation. Target populations are no longer perceived as mere recipients; through the articulation of their views and their own practices, they re-appropriate their own development. It is, however, anticipated that through the process of negotiation they will ultimately absorb some development norms. They will understand development as a necessity and, hence, become instrumental in their own transformation. But as Apthorpe pointed out, such a discourse aims to persuade rather than inform (1997). Participation becomes an element or tool of the hidden agenda for deliberate economic and social change—implemented through a process of persuasion. On the other hand, it is assumed that participation has a snowball effect: once people appreciate the advantages of a particular set of successful actions, further demand is automatically created.

Problematically, the glorification of decision-making and actions being in people's hands is vague enough to be universally accepted, yet full of hypotheses that deserve careful scrutiny. In their precise questioning of participation as a potentially oppressive approach, Cook and Kothari (2004) highlighted two issues that are well known to practitioners who actually carry out participatory schema. These two issues yet

remain generally neglected in implementation strategies. Systematic participatory processes can turn out to be manipulative and may harm those who were supposed to be empowered, but who, in fact, become development mediators. Various examples are cited in their book *Participation: the New Tyranny*. In short, the authors insisted that considering participation as a must is a reductive approach. They do not agree with the preconceived idea that local populations have a tendency to remain out of the control of the pursuit of their own welfare. In case they contribute by participating according to western aid standards, they are not free to do and think as they please because they lack know-how and developers, those who know, have to show them the right direction.

Other severe drawbacks remain, such as bureaucratic and administrative effects that hamper autonomy and self-determination. In large projects, indigenous people are requested, if not compelled, to participate in whatever the external decision-makers would like them to do, even if the benefits are not always clear. While some authors and most of the multilateral agencies have proclaimed the virtues of participative processes, without any scrutiny or discussion, a revealing analysis in Lesotho confirmed what had already been analysed elsewhere, namely the futility of participatory development activities once they reach the field, in comparison to the heavy logistical operations devoted to organizing a very abstract notion of development that hardly reaches stakeholders (Ferguson, 1990). Paradoxically, participation becomes the central concern of implementers and agents, as it enables them to demonstrate that they are appropriately involved in contributing to the well-being of others and also ensures continued funding for their work.

An illustration of the perversion of participation brings us back to Ratanakiri where many of the errors outlined above occurred in a huge project launched in 1995 under the auspices of UNDP, in partnership with the national government (Bourdier, 1998). One of the purposes of the project, in which some employees were Khmers, yet where the majority of managers and advisers were foreigners, was to change natural resource management practices deemed degrading to the environment and to create an awareness of sustainability issues amongst the local population, regardless of their ethnic background or their geographical origin. The ambition of the international organization, in its collaboration with the provincial government, was to prevent the monopolization of land, to preserve indigenous culture by attempting to eliminate what was threatening to development, to improve the status of women, promote better healthcare, and to support improved infrastructure.

After conducting an extremely rapid and superficial social evaluation of various selected zones in the province, several pilot villages were chosen. The evaluation that aimed to appraise the situation of each village was conducted by a team of fifteen people who arrived in each hamlet in a Land Rover, armed with a battery

of questionnaires used to ask people about their needs, aspirations, problems and frustrations. Highly conceptualized communication techniques were adopted in order to collect as much information as possible in a short period of time and to stimulate communication with the chosen villagers. Cultural factors were, of course, a concern for the development actors involved, in the sense that some cultural aspects of indigenous life could be perceived as obstacles to development and thereby had to be rejected in the interests of the well-being of the target populations. The integration of cultural issues into project planning was vague and inscrutable, reflecting that lack of understanding on the part of the outsiders. Worse, one can well imagine that any attempt of identifying what was good or bad in relation to development was rather adventurous and would lead to an artificial separation of values whose meanings that were not fully understood. It is also not certain that those in charge of the project were at all clear about traditional perceptions and knowledge pertaining to the local use and management of nature. Rhetorical statements aimed to promote ecological knowledge as a cultural heritage were prominent, however, and the use of fashionable and catchy phrases (e.g., "unity in diversity", "the preservation of indigenous natural wealth"), which pleased donors and opened an illusory door for a democratic provincial government, was encouraged.

Unfortunately, words alone are insufficient. Development actors and civil servants may have been aware that it is not advisable to ignore the traditional knowledge of indigenous people living in forest areas; long term scientific research has already demonstrated the need to incorporate local populations in any system of eco-management (Hladick et al., 1996). But there is an inevitable gap between such awareness and the capacity to apply this awareness to the practical purposes of a development programme. Astonishingly, lack of time and means were frequently cited as limiting factors ("it is not realistic or cost-effective to spend too much time with local people"); instead, their attention was focused on what had to be achieved and methods of project implementation were emphasized in order to gain the support of local people. In other words, the objectives of the project were pre-defined and its implementation took the form of a normative strategy, without any genuine possibility of questioning or discussing the underlying ideology. Nonetheless, everything was carried out under the banner of participation. In once instance it took a cynical turn, where villagers in the northern part of the province were displaced "for their own sake", forcing them to construct a small road connecting their new and inappropriate location to the Sesan River. This activity was classified as a food for work participatory initiative from which people would supposedly obtain significant benefits.

This long and costly development initiative employed many development agents, and probably provided financial return benefits, at least for the in charge of the programmes and the Cambodian officials who had their word to say under

the auspices of a joint international/national project. But after a number of years of activities, the programme scarcely achieved its intended goals. Despite the absence of proper oversight and evaluation, it may, perhaps, be considered a failure, as the indigenous people involved almost unanimously recognize that their lives progressively deteriorated during the course of the project. But nobody ask them and the common development reply was that it has been so difficult and time consuming to work with the local communities.

**4. Development Reconsidered in Light of Social Change**

Social scientists who adopt an anthropological approach present development as neither a predetermined fate nor a condition, *per se*, but as an option (Bennett, quoted *in* Hladik, op. cit.: 1304). Development interventions and their inherent social pressures are thereby considered propositions that can be accepted or refused by local populations. Let us examine this viewpoint and its implications more closely.

In Cambodia, as in Vietnam and Laos, a blanket criticism of social change is meaningless. The influences of global society are ever-present. However, the manner in which development is constructed and oriented is more questionable. The deplorable health situation observed by NGOs (White, 1995), the advent of the market economy in the highlands of Vietnam and Laos (Hill, 1985, Milloy and Payne, 1997), the reinforcement of economic disparities (Hickey, 1976), the crystallization of social tensions between the indigenous populations and the migrants from the plains, the eruption of drug trafficking (Renard, 1997; Lyttletown, 2004), the transformation of local populations' relationship to the land, deforestation similar to what occurred earlier in Indonesia (Geertz, 1963) and, most of all, the relative impunity of investors, speculators, politicians (Colm, 2005) and other high-ranking individuals in the army or police, transformed into tropical gangsters in Cambodia, are concrete problems that require addressing. Cambodia is not an exception and similar poor treatment of highlanders has occurred in Vietnam under the auspices of the national government (Colm, 2002). At this particular moment, indigenous populations face some difficulty in controlling their situation, given the unequal political forces that oppress them.

There have been cases when indigenous people in Ratanakiri and Mondolkiri, confronted with illicit logging or facing human rights abuses, called upon militant NGOs and activists to support them. Some local leaders perceive that both foreign and official persons have better access to important government ministries based in the capital and, consequently, they expect expatriate development agents and even social scientists to act as intermediaries between their communities and national decision-makers. Ironically, it is not uncommon to hear that the skin color and the

presumed status of an international consultant, alone, may persuade politicians to be more receptive to his/her arguments while the voice of indigenous representatives from the forest is less likely to be heard.

Development can be sympathetically understood as a misfortune with potential benefits, but again it is essential to be clear as to what specific outcomes are being referred to and, further, what social costs they entail. Social development activities, be they integrated or not, need to follow a certain chronology. It can be observed, for example, that the development of communication systems through improved roads dramatically facilitates the monopolization of scattered lands by investors from the plains, and forest enterprises, in a context where there is no legislation controlling communal land titles, as there should have been since 2001. By the same token, the encouragement of alternative methods of environmental management, and consequently the promotion of new agricultural practices, must be accompanied by the regulation of commercial practices; yet, quite the contrary, the emergence of a volatile market economy is observable in villages near the provincial capital of Ratanakiri. This unfettered entry into the market economy tends to reduce the previous autonomy of villages, which become increasingly vulnerable to market fluctuations and the pressures exerted on them by the new populations who move into the area and pursue commercial ventures in an unregulated fashion.

Native populations are being drawn into the globalization process and are experiencing new forms of contact and exchange, but at the same time they are ill-equipped to control this interaction and hence are at risk of becoming forcibly assimilated or placed in a position of subordination. The Tampuan villages close to the provincial town in Ratanakiri are typical and sad examples of this pessimistic scenario: most of the cultivated land has been appropriated by outsiders, the forest has been destroyed, traditional authorities have no more legitimacy, internal and even violent conflicts are permanent, and in spite of better physical access to schools and employment opportunities it is not uncommon to observe young, educated adults deserting their native villages in order to marry and become farmers in more remote villages where life is "monotonous but peaceful like before", to use the words of a young man met in his newly-adopted Kreung village. Such cases could be considered extreme examples, but they also prevail elsewhere, as in some villages of Bokeo district, where most of the inhabitants have been forced to move to the district town after having being deprived of their land, including their traditional burial grounds.

The number of development activities continues to increase, and it should be recognized that the participation of local populations in the formulation of environmental policies, much flaunted in the incantatory discourse of projects (such as that of UNDP, discussed earlier) is nothing more than a rather subtle pretence. What is recognized as a vital, grassroots approach is generally, in fact, an outcome of a powerful,

externally-directed intervention. Objectives are similar but methods, subtleties and rhetoric differ a lot. Development agents are proficient at disguising the real goals of projects in order to make them attractive. Again, the intention here is not challenging the *ideals* of participation, empowerment, self-governance and sustainability—these are universally legitimate—but it is worth questioning, firstly, their meaning for local populations and, secondly, the ways in which development challenges are addressed, or not, through these participatory schemata. The participation of local populations in development enterprises is certainly a low-cost approach, but can also prove to be emasculating in practice as such activities are mostly formatted from the top and do not give opportunity for a local governance to emerge. Examples demonstrating such reverse-effect exist from all over the world (Cook and Kothari, 2001; Hickey and Mohan, 2004) and several accounts in this book will provide detailed examples which confirm this claim.

For their part, development practitioners are faced with the direct imposition of ideas by their employing agency, and have little scope for negotiation. Many of them insist on social and individual conditionings, through education and awareness-raising, as if the Ratanakiri populations they targeted had no form of education, were not yet endowed with consciousness or did not have the tools for organizing themselves coherently. Genuine participation cannot be a unilateral conversation, held between teachers and pupils who are castigated if their behaviour and ideas depart from the imposed logic of the development agents, but on the contrary, a true negotiation amongst partners. Traditionally, very few projects conceived in the corridors of distant western cities are open to re-modeling, even once the ineptitude of a planned activity has been exposed. Even if the local context has changed, the importance attributed to the culture remains one step backward. That said, it is not unusual to observe that project managers and development practitioners are frequently subject to political forces and professional constraints from different sources (private sponsors, donors, partners in the public sector, etc.), and which are, at times, difficult to reconcile with the cultural dimensions which they encounter in the field. Some are able reconcile these dilemmas, due to their own personal capacities, but not all.

Having observed few development activities closely, the sensation to be confronted with what Farmer (1998) has defined as a visual defect appears. This phrase has a number of implications. First, it suggests that an insufficient balance is maintained: outsiders tacitly believe they are right while the indigenous groups believed to be in need of development are considered primitive and misguided due to their traditional superstitions and beliefs. Secondly, the sociological principle of symmetry disappears, as native populations are not in a position to challenge the imperatives of external decision-makers and implementers. Thirdly, the tendency to transform existing social dynamics deviates from the legitimate purpose of develop-

ment; a common belief held by development actors is that communities will accept outsiders' rationale for change once it has been properly explained, irrespective of local traditions. Fourthly, there is an underestimation of, if not total blindness to, what traditional societies may contribute to the development process. The concept of an exchange of knowledge barely even exists. These four points individually have to be examined.

The new orthodoxy advocating the involvement of people in their own development is not founded on notions of reciprocity or equity. As Hildyard observed in India, far from being a transformative process in which local people are able to exert control over decision-making, the chosen strategy "becomes a well-honed tool for engineering consent to projects and programmes whose framework has already been determined in advance" (2001: 59–60). Encouraging partnerships becomes a way to make people work for something supposed to be for their own benefit, but which in fact offers them limited flexibility. It is assumed that they will adjust to the strategies introduced by development actors. Again, a distorted interpretation of participation emerges, which is reminiscent of a top-down approach. Politicians and planners decide in advance what has to be done, and they inform the people how to do it. Examples from Southeast Asia are so numerous that given McCaskill and Kampe's book (1997), there is little need to reiterate this point, in spite of some sporadic successes.

Such top-down planning and decision-making is not restricted to macro-level interventions. Development practitioners in Ratanakiri employ comparable methods for their work with indigenous people. Some of the Tampuan villagers living on the eastern side of the provincial capital were frequently harassed over activities they should or should not be engaged in, apparently for their own benefit, and eventually came under the impression that they were obligated to work by developers, despite—in their view—the lack of any convincing justification for these new activities. Village women complained that they had neither the time nor inclination to discuss their domestic burdens with largely unfamiliar interlocutors, because they could not see how the provision of information to such outsiders would alter their situation. Even if they were aware of the heavy domestic and agricultural work with which they are burdened, middle-aged women argued that it was not enough to alleviate this load without providing alternative uses for their time. In short, if they were to be given the benefit of extra free time, they wanted to be able to apply it to something constructive! They justified their position with the example of young men and women who were reluctant to carry out traditional tasks which they had previously performed. Increasing numbers of teenagers, they observed, were starting to waste their time by going to the district town and spending money on alcohol and other non-essential goods—or simply remaining idle in the village. So for these women, non-participation

and non-compliance were both a rational strategy and an unconscious acceptance of the *status quo*, similar to what has been observed elsewhere (Cleaver, 2001: 51). Other villagers were not interested in attending the multitude of meetings and informal education sessions which were arranged, considering these to be nothing more than exercises in communication and exchange that provided them with few benefits. Villagers understood the aim of such events to be the recruitment of local people to participate in activities which were, in fact, of only secondary interest to the majority of the indigenous population. Yet the development agents concerned were certain that the local population would have an undoubted interest in participating. In fact, the respondents interviewed afterwards for personal enquiries had no control over the various arrangements organised *for* them, but not *by* them. At best, the meetings provided a good opportunity for attendees to meet and interact with fellow-villagers, but had no tangible impact, beyond the per diem incentives allocated to the participants, which was the predominant way of guaranteeing their attendance.

Many of the expectations held by indigenous people are not taken into consideration simply because they do not fit into the developers' own agendas. They do not conform to project imperatives. Therefore, the preliminary expectation of understanding the people becomes forgotten or is ignored, often with the excuse that such an approach is beyond the scope of an intervention. While working for an NGO in Ratanakiri in the early 1990s, an anthropologist recalled villagers' responses when he asked what they wanted in order to improve their health. Villagers replied without hesitation: more buffaloes for spiritual offerings. For lesser diseases of misfortune which occurred amongst householder, pigs and chickens were also considered appropriate medicine (Jonsson, 1997). One can imagine the attitude of the managers of the NGO when they were told by the ethnographer to purchase animals in response to the villagers' unequivocal demands. How could an international NGO, ostensibly focussing on health issues, justify an investment in buffaloes and pigs to its donors? If we look closer at what appeared to be a medical aberration for the development agents in this particular case, it might have been worth returning to the fundamental point reiterated countless times by anthropologists: to the indigenous world many things are undifferentiated and nothing is more misguided than attempts to separate domains through western categories such as agriculture, religion, health, kinship, social organisation, and nature.

This brings us to one of the main flaws in project conception that can be observed in Ratanakiri. Development agents have the tendency to divide reality into artificial segments. Integrated projects are scarce in comparison with interventions devoted exclusively to areas such as literacy, education, health, agriculture or the environment. Social actors invariably design interventions which relate to their technical expertise in agriculture, health, forest management or to social specialisation in

informal education, gender, community management. Apprehending the world as it is perceived locally, as a holistic entity, poses conceptual and logistical problems. Mauss demonstrated that a social fact is a total social fact (1983), whereby any component of culture cuts across many layers of a society's existence. Forgetting or disregarding this most elementary idea signifies that development agents are *de facto* unable—or not requested—to comprehend one of the most important and sensitive aspects of indigenous culture. Returning to the expectations of the villagers in Ratanakiri, in relation to the NGO specialised in health interventions, it was their hope that breeding animals would provide them with a more effective means of raising valuable cattle to offer to their ancestors and spirits; thus, the connection made by villagers in relation to health improvements was that nothing besides spiritual offerings could address the problem of sudden outbreaks of disease.

Development actors are, however, sensitive human beings. Some grasp the cultural coherence of indigenous communities, as well as the problems faced by such populations. But understanding is meaningless if decisions are not founded on such cross-cultural comprehension. "We know how we should adjust, but we just cannot do it like this" is a common *leitmotiv* expressed by decision-makers and field workers. Development practitioners are not slow to recognise the need to adjust their interventions to the social and cultural patterns of the societies with whom they work. But usually what happens in practice is a selective adjustment. Existing lifestyles and traditions are not uniformly perceived; some are deemed worthy of preservation, while others are considered antipathetic to the modern world. In Ratanakiri, cosmological representations of nature, practices related to animism and complex kinship structures are all considered colourful features of the indigenous world, but they remain anecdotal and circumstantial. Some are considered worthy of inclusion within development frameworks while the rest, it is felt, are best excluded. A certain selectivity has emerged, aimed at excluding what is inappropriate and retaining what is deemed useful. This latent principle works against vernacular social categories and behaviour. As has been noted by many social researchers, any attempt to change one component of society will inevitably alter other components.

One of the contributions of the social sciences is to elucidate and illustrate causes and consequences of social situations. Olivier de Sardan demonstrated that exposing facts and proving them to be significant within a particular context enables academic research to become a form of applied research that can be relevant for development practitioners (1995). One step forward should not imply a step backward: the legitimacy of integrating internal social dynamics within the framework of development should not be obstructed by the need to conform to the stated aims of any programme. Nonetheless, this frequently happens; due to the complex chain of

actors involved and the logistical challenges posed in re-orienting the foundations of a project, many practitioners recognize that it is better to attempt changing people's aspirations rather than the direction of the programme itself. In fact, there can be both compatibilities and incompatibilities during encounters between development agents and local populations. If they are on the same wavelength, speak the same language and have similar expectations, positive engagement can pre-empt any action. But in practice, this pattern hardly follows. Neither true respect for nor real maintenance of the adopted and ongoing changing lifestyles of indigenous populations in Ratanakiri and Mondolkiri are on any NGO's agenda, with the exception of few sporadic collective and individual actions. It should be noted that in the present socio-political climate, these collective and individual actions stemming from indigenous populations are often highly audacious because they are not welcomed by national governments and even by those in charge of NGOs. Such actions are specifically aimed at protecting cultural identities and establishing a civic society equipped to respond to land appropriation, human rights abuses and uncontrolled behaviour by outsiders. In reaction, many indigenous people have been prosecuted, imprisoned and tortured by provincial authorities when they attempted to respond to land appropriation, alienation and mass logging organized by officials, contractors working for private investors, high ranking military representatives, and the police. The mobility of indigenous people has become a preoccupation amongst government authorities. As of 2006, Native people have been prevented from moving outside of Mondolkiri province, without the permission of local authorities, under the fallacious pretext of self-security. For long, the newspaper *Cambodia Daily* regularly reports these worse developments.

There is a local demand for addressing the problems raised by both traditional and new socio-economic dynamics, but the issues that villagers consider to be most important are not contemplated by most development agents, who have different priorities. Villagers face significant difficulties in adapting to a dramatically changed social environment. They are, for instance, requested to protect animals that they have hunted for centuries (not only for food, but for ritual and ceremonial purposes) and are caught between two opposing perspectives; many are confused and no longer know what comprises appropriate behaviour. Often, villagers would welcome a discussion of specific areas of concern with development agents, if the latter expressed some willingness to develop an understanding of indigenous culture and priorities, yet such systematic exchange and negotiation rarely occurs. As a result, many critical issues are poorly discussed and hence remain unresolved. These largely include the interface between tradition and modernisation, such as the allocation of territory among families, the use of forest products, the introduction of new agricultural practices, traditional religious affiliations, new technologies, social

regulations governed by elders, and the kinship divisions resulting from young people being converted to Christianity by missionaries. Add to this community attempts to continue living harmoniously with the spiritual world while new social conditions and behaviour are challenging the traditional cosmological order.

Finally, the perceived cultural contribution of indigenous people in the region is not taken seriously, apart from some forms of native dances, exotic dresses, handicrafts and other artefacts which are well suited for tourist displays and museum exhibitions. Beyond the recognition of these attractive features, a consensual resignation is apparent amongst representatives of aid agencies: the local populations cannot continue as before; they will have to adjust to the 21st century. The willingness to impose a new, external rationality upon environmental management, life style, the use of and access to services, and other areas under the guise of legitimate compassion, yet combined with an implicit refusal to consider people's own preferences to engage or not in modernity, has been referred to as the "cannibal order" (Bourdier, 1998). In Ratanakiri, an enterprise of deconstruction and reconstruction has been in operation since 1993, immediately following the UNTAC period, with the intention of providing new socio-socio-economic configurations that have been deemed appropriate to local societies. Ironically, the whole indigenous societies have been at the same time destabilized by such changes. A process of negotiation is supposed to be established but nobody seems to witness it.

As noted earlier, recent UN programmes have stipulated an approach whereby certain key individuals are targeted and groomed to become effective mediators or intercessors. Long-term experience in many southern countries has demonstrated the futility of undertaking development without taking into consideration existing political structures with religious leaders and traditional headmen. On this basis, during interventions in Africa especially, though also elsewhere, including Asia, it was decided to identify influential leaders amongst indigenous communities. Despite all good intentions, however, two points were insufficiently grasped: the identification of local leadership invariably draws upon the construction of the local society as understood by the staff of any given project, and therefore does not necessarily reflect the way social order is manifested in the village, at least in Ratanakiri, where there is no tradition of charismatic "big men" among the households, like in the Pacific islands and on the east coast in North America. There is a village "chief" but he does not hold ultimate power; many indigenous societies are not steeply hierarchical, even in the case of the clan system which exists among some ethnic groups. Interestingly, Pierre Clastres provides a similar description of indigenous societies in the Amazon and other parts of South America (1997). There are some individuals who can be classified as leaders but they are not necessarily representative of, or in solidarity with, the entire village. Frequently, the interlocutors selected by project staff are supportive

of externally imposed norms. They perceive their involvement in terms of personal social, political, symbolic and material rewards. It can give them a new position outside or within the village, acquisition of power/prestige, ability to contribute to systems of redistribution through the lineage, and added protection by the spirits.

Most of the real-life situations identified by independent research cannot be readily integrated within or transformed into development activities, due to their social complexity (Pordié, 2005: 15) and the un-systematic nature and utilitarian goals of the production of knowledge entailed thereby. There is also a danger in providing tools that may result in parts of a society changing and the vision of the people becoming modified. Up to what extent, exactly, is it acceptable to make decisions for others? Western societies have probably moved on from the classic position based on colonial discourse and adopted a more acceptable rhetoric (Williams, 1994), but many practices remain the same, or even worse than was called the civilising mission; the latter concept can, perhaps, be considered as a kind of ancestor of the sustainable development concept.

There was no fundamental rupture between earlier colonial relations between the North and the South and the more recent relationships founded on development aspirations. In a smoothly provocative statement, a social researcher in Vietnam argued that colonization was, to some extent, more generous than the methodological rationale of contemporary development; the will to transform human beings and the natural environment was associated with humanitarianism, imbued with a utilitarian dimension, and was, at least, authentic. The representation of the alter ego, the Other, resulted in domination, but ultimately colonization brought—in spite of wars and atrocities (David, 2003)—either a creative juxtaposition of cultures or a very progressive acculturation. Nowadays the situation is different and development agents' interference in the lives of indigenous populations is more subtle but at the same time more calculated, more radical, and even more violent. According to the discourse of international agencies, national governments, and most NGOs, the people of the forest have to be integrated, and if possible assimilated. Integration for the development agents, particularly public servants, active in Ratanakiri means progressing voluntarily and appreciating the benefits of material comfort, medical welfare, social advantages and economic improvement, with all of these transforming previous relationships with the environment. Diversity is perceived as something confusing. Homogeneity is valued, something more coherent to deal with.

Is it necessary for the model of evolution and development pursued by most countries to be imposed with force and cynicism upon ethnic groups who are becoming increasingly marginalized? The international system of aid likes to evaluate others with its own tools but rarely appreciates being judged by their recipients. It is probably time, retroactively, to learn from the populations who should no longer be considered mere targets or recipients for elaborated models of development constructed, launched

and propagated by white-collar experts. Any new vision of development must be therefore self-reflexive.

## 5. Changing and Contested Visions of the Common Good

Globalization unavoidably affects indigenous societies in Southeast Asia. As the economist Cohen (2004) noted, it provides a new vision for the world population, while at the same time overriding most of their wishes. The tragedy is that globalization is totally unable to satisfy the expectations it generates, and thereby creates frustration. The case of highland people is particularly extreme because globalization can appear in their midst suddenly and dramatically, without any controls or safeguards. It can be defined as awareness of a new, inclusive worldwide environment, which is attractive, but unattainable. This phenomenon is, of course, not at all exclusive to the indigenous populations in the region under consideration in this book, but the main difference is that it has arrived amongst them on a false ethical premise, as something for them to accept in the name of civilisation. The risk is that it frequently creates socio-economic subordination and cultural discrimination among highlanders, specifically among the younger generation, many of whom are no longer proud of being identified as Jarai, Kreung, Lun or Kavet. They want to behave like Khmer people as they are anxious to not be demeaned by outsiders.

In Ratanakiri, for instance, Tampuan men who became aware of modern agricultural technologies several years ago were clear enough to argue that it would have been better for them never to have known of the existence of these new modern phenomena because they suspected, perhaps accurately, that they would never be able to access or own them. This is why it is better to not blindly follow the assertions of some anthropologists, that cultural pluralism offers enrichment and innovation and enables people to question the perceived naturalness of traditional modes of thinking (Abélès, 2006: 72 sq). It remains a pure academic exercise of imparting wisdom, which is attractive to local populations but in a practical sense remains far out of their reach. There is no need to embrace the Buddhist conviction that human beings should be protected from the futility of desire to grasp the problem: the evolution of an advanced society is obstructed by inadequate and unequal distribution of the material and intellectual benefits which are available.

External interference and cross-cultural exchange can be damaging if, as is too often the case, nothing more is offered than deprivation, frustration and emptiness. When Clastres lived with the Guyaki (Ache) in the early seventies, he had sufficient understanding of their language to reveal that the worst thing that had happened to these semi-nomadic groups living in the Paraguayan forest was the insidious concept of *doubt* that developed once they came into contact with modern and Christian

civilisation. This contact put their entire cosmology into question. They began to doubt the very social and cultural order governing their destiny, of which they had previously understood themselves to be a central part (Clastres, 1974).

Experiences of uncontrolled interference in Ratanakiri have produced similar responses amongst some villagers and it may come to a point where aid propaganda (including the economical and social arguments propounded by development practitioners, together with the cultural and spiritual intrusions made by missionaries) generates underdevelopment, both in people's minds and in terms of material impacts. This point will be re-visited in other chapters, tracking the evolution of modernity in Laos and Cambodian villages.

Returning to the impact of what is termed development, it can be seen that the dominant procedures for maintaining and, moreover, improving the quality of life among indigenous people in the selected region of Southeast Asia are simply not working. In addition to any absence of significant improvements in living standards, development has, further, created greater social distinctions and inequalities instead of responding appropriately to environmental, social, sanitary or agricultural problems. Of course, there are always some success stories but these are restricted to very few, exceptional projects and, as yet, have not provided any clear, replicable model. Furthermore, cultural and social diversity, like plurality and cross-cultural knowledge exchange, have not, as yet, been included within further visions for the future. While diversity is systematically promoted in official papers and project proposals, this means little in practice. Despite the fact that action plans may be decorated with such colourful garlands, their content is all too homogenous. Development can therefore be seen to work against the autonomous future of indigenous populations.

Too often, a situation has been created which can be termed *underdevelopment*, as defined by Rodney in his book on Africa (1983). This situation is revealed both by local peoples' perception that their quality of life has deteriorated over time and by evidence-based surveys and independent analysis from social scientists (Chambers, 1997; Mosse, 1994 and 2005). There is insufficient space here to detail exactly how people understand their quality of life to have deteriorated, but many assessments conducted in Africa, South America, South Asia and South-East Asia have come to such conclusions. In Cambodia, the Khmer sociologist Chou Meng Tarr provided revealing insights from 1996 to 2005.

Paradoxically imbalanced interactions began in Ratanakiri province in the early 1990s and were regularly witnessed by more scrupulous NGO consultants and social scientists, such as Ironside, White, Baird, and the current author. At the outset, there were villagers who did not request any external assistance yet were still visited, without being seriously consulted. Selected villagers were asked to give their opinions about their needs and the needs of others. On numerous occasions superficial questionnaires

were superficially and hurriedly completed by field-workers without any promise of further commitment or meaningful relationships. Subsequently, most development ideologies and practices turn into impositions; even most of them were initially championed under the banner of humanitarian assistance with healthcare, food, and basic literacy to provide a basis for further, sustainable development. In fact, having observed how literacy programmes are conducted, for example, it can be seen that very little of the content of these interventions value local culture. Equivocal references to Khmer and general dogma, occasionally mixed with Christian religious values, appear in the school books being utilised, along with tedious detail concerning the best way to educate youngsters—by distancing them from the history, values and respect of their ancestors. A very different system of educational activities for indigenous populations living in the Amazon has been developed with success by the Brazilian government, commonly referred to as differentiated education (Lopes da Silva and Luis Donisete Grupioni, 1998) but this not yet the case in the Region under consideration. More generally, western development strategies approved by local Cambodian authorities are included, with no concomitant reference to the wisdom and philosophies of indigenous societies (one international NGO which is operating in some districts is the exception to this norm). It should be recalled that most of the functioning traditional economic systems have been wiped out during colonial times (Boas, 1897; Malinowsky, 1921; Sahlins, 1976). A similar fate may await indigenous economic (and cultural) systems of Southeast Asia, under the name of development. Change can be welcomed, but in many cases, very few alternative systems of production and exchange have emerged to create sustainable alternatives for the whole population.

Arriving in the region with the intention of assisting local populations, without prior knowledge of their culture can be considered the first violation. Such behaviour can clearly be justified in relation to interventions concerned with improving health, but not for activities that are embarked upon without taking into account the prevailing cultural context. New ways of life have been exported with the implicit assumption that primitive societies will willingly comply with and adapt to the changes introduced. Highlanders themselves have not been consulted on the changes to be introduced, or if so only superficially, while their standard way of life is systematically interpreted as one of mere poverty and misery.

Ironically, villagers' poverty became more visible as soon as select elements of the population began adopting the new standards introduced, thereby identifying new needs whereof most highlanders had not previously been aware. One of the premises of development, or underdevelopment is, after all, a transformation of desires and aspirations. Over time, many highlanders, especially those living close to the provincial capital, began to lose their identity, dignity, and capacity to defend themselves against introduced changes. However there have been a few exceptions,

and some of them will be mentioned in other chapters of this book, whereby local populations have found themselves in a position to protect their traditional customs and react against external intrusions such as attempted religious conversion, land grabbing, political subordination and economic abuse.

In spite of the varying history and conceptual nuances of the visions of development which have been externally imposed in the territory under study, the outcomes have been similarly negative and destructive. In this respect, Edgar Morin's oft-repeated comments are intensely relevant to our area of study: the notion of development is itself under-developed. Another persuasive argument is that not everything can be measured according to economic, social or health indicators. In fact, what is deemed development is itself a process that no one has managed to adequately define or establish, because it is essentially a project or plan about the future (Hours, 2002: 69). Whether in Northeast Cambodia, Western Vietnam, or remote districts of Laos, one of the main outcomes of the development process for indigenous populations has been increased access to markets and paid employment.

Given that highlander societies had little notion of private property until recently and had never been involved in the bondage of working for a daily wage (apart from those who were employed by force in the rubber plantations during the colonial period in former Indochina), it is scientifically justified to be sceptical about the positive benefits of the capitalist work models that have been introduced. Boltanski argued that the introduction of new forms of labour was outright exploitation (1999), where new employment structures were temporary and unstable, entailed forced relocation, and offered unclear long-term prospects for local populations. At the end of 2006, part of the huge development plan related to Cambodia, Vietnam and Laos, included working to meet national agro-economic targets and extracting minerals on an industrial scale, and were central components of a number of development projects in Ratanakiri and Mondolkiri. One has the right to be concerned about the potential impact of these huge initiatives if they, indeed, become a reality. As usual, they are promoted as a cornerstone for the economic development of the broader territory, which includes parts of Laos, Vietnam and Cambodia. Again, the planned economic targets and impacts reiterate the mythologized concept of macro development (Mendes, 1997). In return, the only certitude at this point in time is that indigenous communities will be faced with geographical restrictions, reduced territory, ecological degradation, demographic pressure, new health hazards, and risks of pollution from aluminum factories.

## 6. In Conclusion: Who Draws the Conclusions?

More palpable than such speculations are the sociocultural underlying mechanisms and the current ideas that emerge from discussions with local people through the

classical anthropological method of *participant observation*; we should examine the neglected wealth of knowledge and information offered by the indigenous people themselves. It does not mean for these communities to be left alone as in some places in Brazil, in some kind of protected isolation, in an attempt to retain their cultural norms at any cost. Indigenous populations need to be heard and understood. Consequently, development activities should be carefully proposed and negotiated as an option, nothing more. Local people should have the right to say yes, no, or maybe.

One of the preliminary conditions enabling this basic proposition is that the culture of others should be understood and accepted as valid. Such an approach can initially make a substantial difference. Yet culture, in the sense of the inner values and attitudes that guide a population, can frighten development agents. Landes (1999), writing about other Southern countries, claimed that for scholars "the sulphuric odour of race and inheritance carries an air of immutability" [*sic*]. The author argued that observers generally have a deep ability to use diplomatic, academic and practical knowledge to shape the attitudes of those around them in the direction they want them to be oriented. This commentary is cited because one still finds a similar fascination-cum-aversion in regard to indigenous cultures among development actors in the region under study. Some examples will be provided in the following chapters. At best, it is admitted that local cultural patterns of behaviour should be respected but, when it comes to the implementation phase, local behaviour is only accepted if it fits with the planned activity schedule. Somehow, culture is supposed to adjust to the imposed intervention, rather than the very opposite.

On the other hand, culture does not stand alone, and the way people live in a new socio-economic environment inevitably influences their manner of thinking and their perceptions of the world. The dynamic nature of culture needs to be understood from the outset, even if the various linkages between indigenous institutions, ways of thinking and values are not at first self-evident and easily grasped.

These very basic premises, which are notably absent in the logic of development, are founded on the understanding that no culture is static and uniform. Change, exchange, contradictions and, above all, creativity, are inherent in all societies. This rather obvious point has often been neglected, or the notion of creativity replaced with potentiality, which is not the same. Creativity is a characteristic which can determine particular visions of development. Creativity can also be observable in terms of people's reactions, re-interpretations, protestations and claims. It includes social movements and the emergence of contested forms of development.

But there is a need to go beyond appearances and remember that local change cannot always be associated directly with development: it more frequently represents a survival response by a group of people threatened by a specific national programme or a new intervention, as it was personally observed in Cambodia and other places

in the world, such as India and Brazil. Indigenous change which has emerged as a result of development pressure demonstrates the existence of a particular form of local creativity. Indeed, resistance is one aspect of this creativity. It has been shown, for instance, that some villages, but not all, in Ratanakiri were sufficiently organized and strong enough to struggle against logging and land appropriation. Hence people's own movements have been extremely active in defending forest lands. They did not depend on external guidance but used their own resources to address the problems they faced (Bottomley, 2002). Other reactions from local communities demonstrated similar autonomy. In one district villagers burnt down a protestant church once they realized the devastating social and psychological implications of missionary conversions. Conflicts among generations and within families and ruptures between lineages cannot only be interpreted as negative signs. In some places, the active rejection of the Christian churches' teachings, for example, transformed indigenous people into political activists for the protection of their cultural and social identities. Many more examples could be provided. The interesting fact is that indigenous actions preceded (rather than resulted from) a development policy aimed at protecting them in terms of religion, environment and human rights, to cite three areas that have been recently directly observed. Again, the so-called protective policy existed on paper, but was not implemented; as a result of their impatience with bureaucratic inefficiency, villagers were not willing to wait for imaginary support that would never materialise. They acted for themselves.

The crucial point here is that many benefits have come about as a result of indigenous people taking the initiative and not waiting for outsiders to assist them. This is not to entertain the myth that indigenous communities are capable of absolutely anything and that they merely require mobilization to reach all of their goals, but it is scientifically important to reverse conventional understanding by mentioning the ways in which minor societies can influence and participate in the redefinition of their own development. An anthropological approach, with its field methodology and its emphasis on conceptual exchanges with local people, facilitates the acquisition of knowledge concerning new visions of development. As such, we should not rely on those constructed according to western categories or senior decision-makers, but designs elaborated by or together with groups of people who wish to retain control over their future. The visions of development that we are referring to are, by definition, plural, in the sense that not all outcomes are predictable. In the same way, internal knowledge can be maintained, strengthened or re-oriented, according to what they are considered to offer in the course of time.

Albert Camus wrote that the twentieth century was inextricably associated with subjection and submission. Development rhetoric and practices have done nothing but strengthen a system in which the majority of people are dominated by a privileged

class. This privileged class includes many development actors, such as donors and decision-makers, though not all practitioners.

It has been demonstrated, however, that indigenous populations have been able to successfully reject particular, subordinated relationships or negotiate new social relations, through their opposition to religious oppression and land expropriation, and by deciding not to participate in development activities, for example. But such responses are no longer so prevalent. The relationship between the various parties is inherently unequal and anybody can no longer expect the people of the forest to tackle the multifarious and rapidly increasing encroachments upon their way of life alone. On the other side, development agents often arrive unannounced, armed with new technical know-how. Their problem-solving approach is invariably accompanied by ready-made procedures and techniques with a pre-existing management structure. If the roots of current problems are not taken into account, if there is no renewed problematization, if there is no flexibility, if there is no critical engagement, it can be claimed that the development sector has fraudulently reduced its scope of intervention, and implicitly returns to a pacification approach and domestication process. In practice, ingredients remain the same as before, but in theory they are composed with much more subtlety and professionalism.

*Accompaniment* is now the new key word under the banner of development. Most scientists, implementers and activists recognize its fundamental dimension, being more closed in respect to culture. Theoretically and etymologically it means contributing together. It also recognises the need to facilitate access to information, awareness-raising and, why not, bolstering the capacity of local populations to advocate against external interferences that do not fit within their culture. Basically, accompaniment cannot be symbolically associated with what was called a charismatic activity, neither with a mere economic enhancement, nor the preservation of folkloric entertainment. It is not a neutral activity but a political activity. Similarly, culture can no longer be considered as simply colourful and benign, but as a mechanism against repression and alienation.

At present, with local populations highly vulnerable, it is instructive to focus on their means of responding to external forces. In other words, it is preferable to concentrate on the facts and social dynamics that enable early movements *against* new forms of dependency, emerging under the pretext of progress, and in the name of development. Probably, "we do not know how to do well", as the Zapatistas from Chiapas claimed, and in all likelihood "the arms of the poor are poor arms", as a Brazilian activist famously declared, but at least they remain their own arms and whatever their methods may be, they at least constitute their own forces.

An examination of social relations, when these are being re-shaped and re-structured, provides with a fundamental understanding of how a society transforms

itself by rearranging its own means of functioning, and how it reacts to external interference. Further, investigating these dynamics, including some of the responses of a society faced with imposed development, provides us with an enhanced understanding of the production of meaning within any given society (Hours, 1998). There is a need for a broader contextualisation at different levels and at different stages, but the words, practices and actions of indigenous communities under these pressures remain the ultimate key for the social researcher seeking to understand development as historically conceived of by the people of the forest. A development practitioner may also adopt the same methodology if s/he accepts the reasonable proposal of establishing in-depth understanding before acting.

The decision to attempt to understand indigenous social structures and cultural representations is by no means intended to isolate them by demonstrating that they are different. This would be a mistake. Links can be made, for instance, between one school of political ecology, according to which nature is anthropologically understood as dependent upon social representation (Di Meo, 2006) and social philosophers and scientists, such as Philippe Descola, who convincingly demonstrated that the notion of nature as it is understood in western civilisations is not an autonomous, holy being but the product of human history (2005) and, finally, indigenous categories of thought whereby the interactions between human societies and their physical environment appears both in discourse and practice as an intimate dialogue, aspiring towards harmony. Unsurprisingly, the protection of nature is scientifically, politically and culturally perceived as an extension of human protection. It is not difficult to assume that if peoples of the highlands continue to protect their trees and their physical environment, this is not merely because the forest is perceived as having magical and charming qualities and values, but because it provides them with something important and meaningful. Any development intervention that is not based on the comprehension of this sensitive interaction between the population and their immediate environment is, ultimately, misled and farcical.

What has just been written under the guise of a conclusion provide suggestions for potentially new approaches, particularly in regard to the exchange of knowledge. In the future, let us hope that an attempt will also be made to uncover an indigenous philosophy of "development": how indigenous peoples react against or in favour of external interventions, and what can be learnt from them, rather than exterminating them.

The contributions following in this book will reveal to what extent development actors and organisations have managed to understand and integrate this complex interaction into their work and, more generally, why they do not do so. Some contributions will also intend to capture how local people have responded to external interference. Each development case study can be understood as a *repercussive* testimony coming from the indigenous world.

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## Chapter 2

# International Agencies vs. National Policies in the Development of Rural Societies: Phongsaly, Laos, from 1850 to Present

**Vanina Bouté & Steeve Daviau**

This article analyzes the actions of a French NGO and the Lao government agencies that proved to be at cross purposes with them in Phongsaly district, Phongsaly province, Northern Laos, and and the unintended consequences for the ethnic minorities of the district.

Government policies are now urging the planting of cash crops on fixed plot, but up to 2000, Northern Laos remained populated by ethnic groups whose mode of production was still largely based on shifting rice cultivation. This mode of shifting cultivation was then at the centre of several debates: on one hand, it was trenchantly criticized by the government (and by some international donors) as environmentally hazardous and backward, but on the other hand it was supported by other actors and experts for its sustainability (under the specific conditions it was adapted to) and for its preservation of a greater degree of biodiversity.

Our case study draws upon the experience of a 10 year project in the midst of this debate on the future of shifting cultivation. We demonstrate how development activities supported by the project came into contradiction with national policies as they were implemented locally. Communities found themselves facing contradictory messages, with government actions undermining project initiatives; at the same time, a large part of the district's population located in the remote areas remained "forgotten" by the development policies of both sides. The article aims to illustrate the distortion between two development actors (the local authorities, their interpretation of State policies and the French NGO), and also to demonstrate the effects of those contradictions on the beneficiaries of those activities and policies the rural societies of Phongsaly district.

## 1. A Diachronic Approach to Ethnicity and Development

Phongsaly district is located in the province that bears the same name, at the northernmost edge of Laos. The district is largely mountainous; deep valleys are set between mountain ranges averaging 1,200 to 1,900 meters in height, bordered on the west by a furrow of lowlands (populated by the Lü people, speakers of a Tai language), and bordered on the east by mountain ranges marking the Lao–Vietnamese border.

During the last century, first Luang Prabang royalty, then the French colonial administration, and finally the Pathet Lao, have guided socio-economic development in the sub-region. Their actions, as we will see, have utterly re-shaped the circumstances the local population live with. The fact that certain populations were touched by royal power, in the early period, imparted to them a hierarchically organised system, predetermining their relations with the colonial administration thereafter. Subsequently, there were sweeping changes, as the Communist government sought to destroy the marks of the Old Regime. More recently still, after the Communist embrace of the free-market economy, a further wave of French influence arrived, after the invitation of international development assistance in the 1990s, bringing about profound and widespread changes.

The analysis below is based on research conducted in Phongsaly province by Vanina Bouté from 1999 to present, and draws upon the results of a socio-economic appraisal carried out by Steeve Daviau and Vanina Bouté in 2005. The latter appraisal was part of a of study forest cover in Phongsaly district, commissioned by the development agency active in the region (discussed below) and financed by the French Development Agency (AFD). The Study was conducted between 2005 and 2006 by members of the University of Québec in Montréal and by the *Laboratoire Asie du Sud-Est et Monde Austronésien* (CNRS, France). The Study had three aspects: a cartography of the forest cover (team leader: Y. Roche), a botanical study (team leader: Mme Bouakaykone) and socio-economic studies (team leaders: M. Mellac & J. Michaud). Our enquiries were part of this third aspect.

### 1.1 Territorial Reorganization under Two Regimes

Until the 19th century, the territory of the original Phongsaly district formed a buffer zone between three Tai principalities: Sipsong Panna (now a district of Southern Yunnan) and the Sipsong Chaû Taï (now subsumed into Northern Vietnam), and the kingdom of Luang Prabang (today a province of Laos). The word 'Tai' here refers to populations speaking a language of the Tai-Kadai family, and sharing some cultural features due to long historical adjacency and common origins or common patterns of migration (encompassing the Lao, Shan, Lanna, Lü, and others). However,

while Phongsaly as a political entity was defined by its relations to Tai states, this subregion had historically been populated by Tibeto-Burmese groups practising shifting cultivation.

In the second half of the 19th century, because of repeated incursions by ethnic Ho raiders, the king of Luang Prabang decided to reinforce control over his frontiers. Since the Ho invasions crossed through Phongsaly, the king offered some prerogative over the land in order to conciliate the indigenous population to fighting on behalf of the crown and to fix them on the territory. This territorialization process — directly linked to royal *fiat*—federated into a single entity several different groups located upon a common territory (the original Phongsaly district) called Phu-noy. In Lao, this name literally means, "the small people". This new group (constituted of Tibeto-Burmese peoples) structured itself around the prerogative for border control, and the society formed thereby had social hierarchies based on the Tai muang model (Bouté, 2005).

When the French arrived in what they would dub the 5th territory of Indochina (corresponding to what is now Phongsaly province), they looked to the Phunoy population to recruit their gardes indigènes. The supra-village level organisation and hierarchy of the Phunoy resembled their own conception of authority. The French reorganised the territory into *tasseng* administrative units, re-affirming Phunoy dignitaries in their functions, with largely the same distinction they had enjoyed under the king.

Under French rule, Phunoy were exempt from taxes and corvées, and their ennobled chiefs were put directly in charge of collecting tax from other ethnic groups. It was in the heart of this mountainous territory that in 1921 the French colonial administration established the headquarters of their 5th military territory; this would later become the provincial capital of Phongsaly. This process of geopolitical reorganization seems to have involved only the Phunoy; the other ethnic groups found in the area (the Akha) were of no interest to the colonial administration at all. This is testified to by the lack of documentation on other groups provided by colonial sources, apart from Captain Roux's monograph in 1924.

Although the colonial administration set up military posts and created a horse track from the new headquarters and other posts located in the lowlands, it displayed little interest in agrarian and market development in the area. The only evidence of French investments in those sectors were some orchards (fruit plantations) in a few Phunoy villages and an attempt to build terraced paddy fields by some families in a few locations (see below). The 5th military territory was considered "the poor child of Laos" (Aymé, 1930: 131), and the lack of investment in the development of the area was either the cause or the consequence of this perception.

### 1.2 Minorities under Communism: a Motor or Constraint to Development?

In 1954, following the Geneva agreements, Phongsaly province fell under the authority of the fighting unit of the Pathet Lao. Among the reasons given by the revolutionaries for the overthrow of the (non-Communist) government in Vientiane, was the domination of the ethnic minorities by the Tai population (especially by the lowland Lao). Communism promised the establishment of a strict equality for one and all.

The communist authorities sent households from ethnic minority backgrounds to the lowlands both in order to increase rice production and in order to start integrating ethnic minorities into the task of "national construction". This operation obtained the local Party members' and high ranking civil servants' blessings. From their point of view, resettlement in the lowlands would allow highlanders to become paddy rice farmers, effectively a promotion from being shifting cultivators (perceived as low-status by the Tai populations) into a position of relative prestige and increased social status.

Then in 1968, some 200 Phunoy households from 18 villages were involved in planned resettlement (Jouanneau & Laffort, 1998: 121). Despite the fact that other highland people had joined the ranks of the Pathet Lao in the area (Khmu & Hmong), only Phunoy were chosen for this operation of settling in the lowlands. Evidently, Phunoy civil servants wanted their own people, exclusively, to benefit from what they considered an economic opportunity.

But this period ended with the Communists coming to power at the national level in 1975 and the establishment of the Lao PDR. The project of remaking the country to ease centralized administration and the desire to develop a modern socialist economy resulted in the stigmatization of ethnic minorities. There were prevalent perceptions of them as potentially dangerous and hard to control: as illegal loggers destroying the forests, illicit-drug producers, and, as farmers, they were deemed to be practising an environmentally hazardous and archaic system of production. From being spearheads of the revolutionary movement, the highlanders came to be seen as constraining the development of the nation. (Goudineau, 1997)

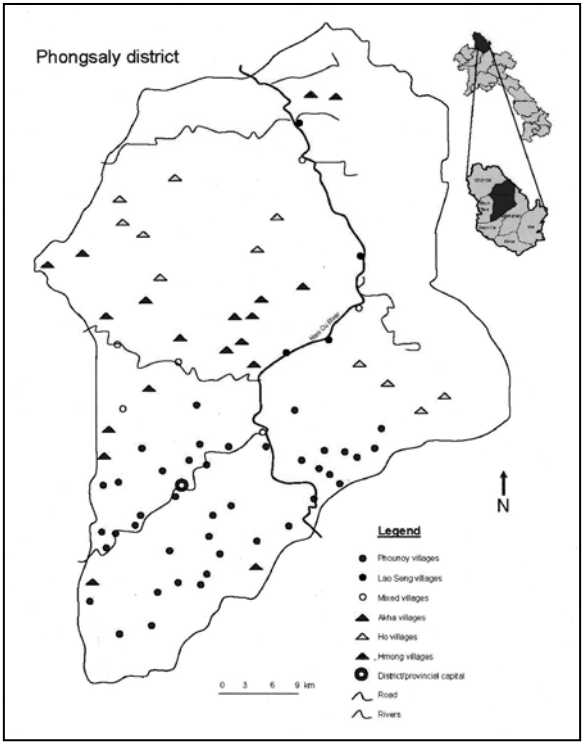
Population displacements were intended as a general remedy, to reorient the farming methods and other economic activities of indigenous peoples and also to better control them. In Phongsaly district, Phunoy villages were directly affected by the latest changes in policy. This was in part because they were the most accessible from the headquarters: between 1994 and 1996, many of them were resettled along the road between Boun Neua and Phongsaly, with the objective of cultivating sugar cane. The sugar cane project was abandoned three years later because of repeated problems commercializing the crop. Paradoxically, due to their isolation, other highland minorities, such as the Akha and Ho, were spared from such relocation projects.

### 1.3 The District's First (post-colonial) French Development Project

It is in this context that the Projet de Développement du District de Phongsaly (PDDP, Development Project of Phongsaly District) was started in 1996. Its existence resulted from the Lao government's specific request, stated in 1993, that the Caisse Française de Développement (CFD—the former name of the *Agence Française pour le Développement*, AFD) assist in the rural development of Phongsaly province for the purpose of reducing shifting cultivation. (Gentil, 1999)

At this time there were 88 villages in Phongsaly district populated by various ethnic groups. Two Tibetan-Burmese groups made up the majority: the Phunoy were located in the south-west quarter of the district (40 villages) and the Akha were concentrated in the northern part (16 villages). A few Ho, Hmong and Laoseng villages

**Village location by ethnic group in Phongsaly district**




**Source:** Steeve Daviau, based on data collected with district authorities in Mai 2005.

were also scattered over the district's territory. Despite having different systems of production and land management, most of the groups practised shifting cultivation. The district was at that time extremely isolated, with no reliable road network. The main access was by boat on the Nam Ou River, crossing the district on a North–South axis, reaching Luang Prabang province downstream.

In this context, the PDDP demonstrated a cautious approach toward the objective of reducing shifting cultivation. Based on studies on agrarian systems conducted in the area, the project's expert concluded that shifting cultivation in this low demographic density context was sustainable and that its eradication would endanger the whole agrarian system.

The objective of the PDDP was to stabilize the practice of shifting cultivation by the development of other activities such as livestock husbandry and forest cultures (e.g., cardamom cultivation) integrated into the management of the fallow lands. More specifically, the idea was to set up activities supporting:

- Increased income for all inhabitants of the district.
- Improved living conditions.
- Reduced economic risks for farmers.
- Empowering the local population to participate in their own development.
- Reducing socioeconomic inequalities.

Another objective was to make remote and isolated communities more accessible through the building of trails in order to ease the transportation and commercialization of forest products. The project was initially planned to last 5 years, but was extended in 2002 for 4 more years. Implementation was extensive during the startup period, resulting in clean water systems in almost all villages, livestock husbandry, cash crops, microfinance and irrigated rice fields.

The project's rationale for not eradicating shifting cultivation came into conflict with policies set out by the Lao government. In the following pages, we provide a glimpse of this project's effects on the local population. Our objective is more particularly to analyze to what extent the intervention (or non-intervention) of the project in some areas has filled a gap left by locally implemented national policies. Our discussion is based on two contrasting case studies. The first is the Phunoy, located near the provincial capital. The other case is from the remote and hard to reach Akha villages mostly located in the northern part of the district.

## 2. Populations subjected to a double constraint (project vs. national policies).

In 1996, when the project was set up in Phongsaly district and the types of farming practices were analysed, the situation of the Phunoy villages seemed to have changed little over the

prior century. Most of the forty-odd Phunoy villages had been in the same place continuously and had continued to practise swidden cultivation for at least a hundred years. Their economic activities, as described in the *Diagnostic des Systèmes Agraires* (Jouanneau et Laffort, 1994) were also, for the most part, identical to those practised several decades previously (Roux, 1924), i.e., swidden cultivation associated with animal husbandry, hunting and gathering. However, a subsequent analysis showed that in fact, this period was a turning point announcing major changes which were just beginning to emerge.

The Phunoy populations, because they were located close to the province's administrative centre, were the first to be affected by the activities put in place by the project: water supplies, veterinary care (including animals-on-loan as part of a breeding programme), cardamom plantations, banking services, tracks and footbridges, were all implemented in most Phunoy villages by 1999. Although previous national policies and new laws enacted in 1997 started to transform the lives of these peasant societies, the project's activities, established in 1994, did not adapt accordingly.

We have observed two phases of discrepancies arising between the project's objectives and the realities of Phunoy peasants' lives: a period roughly corresponding to the first phase of implementation of the project (1996–2001) when it will be clear that the activities established did not take into account the demographic dynamics of the south-west zone of the district, and a second period (2002–2006), wherein the policies implemented by the provincial authorities tended to compromise the actions of the project, this time in all of the Phunoy villages.

### 2.1 Major Migratory Movements: A Factor Forgotten by the Project.

As we have said, when the PDDP project was set up in the region, new displacement policies had just been implemented as part of the programme to set up "focal zones" (*khet phathana*). In these zones, state interventions concentrated on providing permanent employment for the mountain dwellers, replacing the seasonal labour of swidden cultivation; authorities had officially slated the latter cultural practice for elimination. Considerable pressure was put on the Phunoy villages furthest from the road to encourage their inhabitants to settle near the main roads. Between 1994 and 1996, several villages were resettled along the road linking Boun Neua to Phongsaly, whilst the smallest hamlets were attached to neighbouring villages, or moved towards the main town of Phongsaly. In total, 350 Phunoy families were affected during this period, nearly 20% of the population in the district. (Ducourtieux, 2004: 9)

The Lao government-directed population displacements were halted when the internationally funded project began. It is possible that the decision to stop these policies in the area was due to the advent of the PDDP: if development comes to villages, it is no longer necessary to relocate the villages to be closer to develop-

ment. However, the stability of the Phunoy villages was in appearance only: their populations were still diminishing, even if they were no longer being displaced. The villages of the southwest zone that were the most affected by forced resettlements to the lowlands in the 1960s had been in a continual demographic decline for many years. When V. Bouté began her first inquiries in 1999, in some villages one third to one half of the inhabitants had left within the previous several years, in order to join cousins, brothers or sisters settled in the lowland districts or in other provinces.

Those spontaneous departures were nevertheless a consequence of former relocation policies. These policies have had a snowball effect by removing part of the workforce from the region, creating a further reason to leave. Shifting cultivation requires a large work force, which was reduced because the part of the population that left were, predominantly, the young (seeking their economic fortune elsewhere, before having their parents join them). Moreover, the arguments put forward for obligatory displacement had been successful: the lifestyle of the shifting cultivator in a mountain villages had been discredited as archaic, and everyone dreamt of the progress and development that was promised in the lowland villages. Also, the fact that there were more NGOs and/or national development projects in the lowlands where outside access was easier resulted in a greater contrast between the development of those zones and of the mountain villages. This reinforced the Phunoy highlanders' feeling of being socially isolated and encouraged them to leave. (Bouté, 2004). In the southern zone, this was undergoing major demographic changes, and where shifting cultivation (swidden) was looked down upon, the activities proposed by the project rapidly proved to be to be out of sync with local dynamics.

### 2.2 The Ageing Population and the Project's Conflict with the Authorities' Objectives.

The difficulty of carrying on with agricultural activities due to a dwindling workforce made the inhabitants of some villages unwilling to carry out the activities proposed by the French project, such as the construction of new tracks. This did not result in their refusal to complete the projects, notably because of the peasants' identification of the project with the district authorities. This identification was primarily the result of the attitude of the district authorities themselves, relying heavily upon the project for the local promotion of policies decided at the national level.

With the implementation of the project's initial activities, the district authorities then re-examined their position in terms of population displacement. As early as 1999, the villagers were encouraged to stay in place to pursue the opportunities put in place by the project, such as cardamom planting, animal husbandry and raising cash crops, all of which were being promoted at the national level to replace shifting cultivation.

The pressure from district authorities to implement certain activities under the aegis of the French project was seen to be stronger when the degree of development was deemed higher. Therefore, despite the project's insistence, the inhabitants of Thongpi village, located on top of a ridge and surrounded by three springs providing a regular water supply, refused the irrigation system proposed by the project, which would have entailed a heavy and useless workload. Informed of this refusal, the district authorities came themselves many times to the village to put pressure on the villagers to accept the new supply system, creating tensions between the district authorities and the villagers. As Le Meur and Tessier noted, the peasants' perception of the international project and the local district government as one amalgam was also due to certain similarities in operations: ". . . the essential difference [between "voluntary support" and obligation] tends to diminish within the framework of a descending sectorial offer where each technician tries to persuade as many potential beneficiaries as possible of the validity of its solution." (2006: 16)

The building of new trails initiated by the project but carried out by the villagers (each village was supposed to build a trail connecting to the next village) provoked the same type of confusion. These trails were meant to form a network linking villages previously lacking road access, and to favour the circulation of small motorised vehicles capable of coming to fetch products sold by the peasants (notably the cardamom proposed by the project). However commendable the "trails project" was, it came up against the fact that, because of massive departures, the workforce had considerably diminished.

Moreover, because some of the smaller villages had simply disappeared, the distance necessary to be planned and dug out by each village often increased considerably. Finally, the daily allowances paid by the project, at least initially, were less than the wages usually paid for a day's work. The villagers therefore united in their discontent, seeing this would-be "participatory" activity as a duty imposed by the authorities. In some localities, the villagers commented: "These French! In 1900, they made us dig, and in 2000, they are still making us dig!" In other areas, the villagers confirmed that the authorities had threatened to send in soldiers if they refused to participate. Underestimating this difficult political context from the peasants' perspective resulted in the project not being properly evaluated by its executives; furthermore, the project officers did not realise how little interest the peasants actually had in the future outcomes of the activities to be implemented.

### 2.3 What Development and What For?

A Progressively Divergent Views of Peasants and Project Managers occurred. By 1999, the villagers' perceptions of the future and their opinions of "development"

started to change considerably. The measures that were requiring the villagers to stay where they were in order to promote the project's activities, although putting an end to a decade of displacements, were far from satisfying and were a major source of discontent because, at this time, most of the families actually wanted to leave their villages. Even though the departure of the inhabitants was in theory strictly controlled, families abandoned their villages without submitting a request, or just didn't wait for the district's reply. Extreme cases, of an entire village dissipating, did occur: in 2002, Langnê village disappeared progressively over the space of a few years, with the final moment marked by the last ten families departing, each going their own way. In the district's particularly bleak south, the villagers were looking elsewhere for a future, be it villages already displaced to the roadsides, to the lowlands, anywhere.

In this context, the villagers did not merely want to improve their way of life (shifting cultivation, breeding, etc.), as recommended by the PDDP: they wanted to live according to the standards of the "developed" villages in the plains, with electricity, roads, hospitals and markets. This expectation, ignored by the leaders of the project, was understood quite well by some of the local staff. When the villagers from Thongpi built their road in an atmosphere of general discontent, the project agent responsible for supervising the work hastened to proclaim (in spite of the evidence but with a view to motivating the villagers) that, "on this road, lorries will be able to come and modernize the village". The villagers realised that in the end the development activities of the project would not stop the population emigration underway, nor would it solve the problems they encountered such as social and geographical isolation, or lack of a workforce. The improvement of these minor roads was progressively abandoned. When the peasants were informed that only small tilling-machines could pass through, they scoffed, "We are not interested, no one in the surroundings has tillers", and, "only buffalos will take this trail".

The PDDP officials were not aware of the spontaneous migrations that would lead to the depletion of inhabitants in these remote villages, nor of the population's loss of faith in the project. Instead, the project proceeded on the basis of a very different analysis of the roadside villages' significance: life there seemed extremely precarious, so much so that it was assumed that no one, apart from people displaced by force, would want to settle there. To make matters worse, the roadside communities had seen their boundaries considerably reduced, due in part to their concentration along the same trunk road, and also because of the government's Land and Forest Allocation initiative. The result was less and less land available to be farmed; concomitant with the shortening of crop rotations, there was a paucity of land to be left fallow, resulting in the loss of fertility and, overall, inferior harvests. In an article dealing with the problem of land allocation in Phongsaly district, Ducourtieux (2006a) confirmed this point by showing (in a comparison based on economic calculations) that the income

of inhabitants living in a remote village, in the southern periphery of the district, was in fact superior to the income of a village relocated close to a road.

The project's plan was still rolling ahead with (e.g.) the building of a bridge to connect the road to newly constructed trails, but this would not prevent the mountain villages from rapidly losing their inhabitants—this was even true of the one on which Ducourtieux's research was based, which showed positive economic results. Meanwhile, the villages on the roadside had seen an important increase in their population. One peasant justified his departure to a town centre in this way:

> I will sell all my buffaloes and settle in Kilometre 11; there, I will cultivate fields a little and my wife will run a grocery store. In the village, it is the same thing everyday. Over there, we can watch the cars go by.

This is stated as if the simple fact of getting closer to this much sought after "modernity" was enough to warrant an uncertain migration. Here, as is common in rural Laos, the destination is a nameless new village, referred to by its distance from the next major junction on the road ("11 km"). Others we spoke to explicitly recognised that their new living conditions were more difficult than in their former location, but they had their own rationale for adopting this mode of development:

> For the future of the children, for access to health facilities and for education, it was much better to be on the side of a road, even if the fields of the former village were much better.

Others wished to change their situation, without really knowing how.

**2.4 Depopulated Zones, Abandoned Activities.**

By 2006, ten years after the start-up of the project, the villages of the southern zone had almost all disappeared; the handful of villagers staying on some sites was then displaced to existing villages on the roadside. Whereas the project had planned for results that would be measurable 8 to 10 years after their implementation (Gentil, 1999, op. cit. in Mellac 2006: doc. B, p.7), it now had to be recognised that due to the area's sheer depopulation, it had become impossible to implement the plan. The irrigation systems sat enthroned in the middle of abandoned villages. The cardamom seedlings were covered by vegetation, as were the trails leading to them. As for the bridge built by the PDDP, it led only further into the forest.

The people provided with training to support the project's goals (e.g., in animal husbandry) were themselves leaving the district. This phenomenon of the village losing its new technicians was also noticed, to a limited degree, in other Phunoy localities, like

the roadside villages that were under migratory pressure due to land distribution. People originating from those villages, when leaving, took with them the technical equipment provided by the project and no longer shared their knowledge with others in the community. Of course, in the recently-recomposed villages they were migrating to, there was little social cohesion that would pressure them to contribute to the common good.

The project's actions were therefore generally out of sync. By ignoring or failing to estimate the movement of the population (in the southwest zone especially) initiated by the earlier phase of displacements to the lowlands in the 1960s, the project had implemented activities without any future. In fact, the plan addressed a situation that had ceased to exist, and the pattern of population displacement had been revived, with locals streaming out to the roadsides in the 1990s.

### 3. Governmental Development vs. Project Goals: What Remains for the Poor?

Our report has thus far focussed on the Phunoy villages in the southwest quarter of Phongsaly district; we have not yet dealt with the situation of the other villages composing the "Phunoy zone". This comprises some thirty villages, established alongside the road or close to the road networks (and those closer to the town of Phongsaly, where the government offices of the district and the province are to be found). As it happens, these villages, due to their proximity to a main road, are in a very different position from those we have already dealt with. In recent years, these relatively central villages have undergone an important increase in their population due to the influx of Phunoy people from distant villages. More importantly, they have been directly affected by land and agricultural policies implemented over the past ten years: the re-allocation of land, the promotion of cash crops and the prohibition of swidden cultivation.

The Land and Forest Allocation, applied in these villages between 1997 and 2000, fixed the limits of the land belonging to a village (preventing the cultivation of any land outside these limits) and divided it into as many zones as there were authorised types of agriculture (e.g., animal husbandry, shifting cultivation, forest regrowth). As with the forced displacements discussed above, this plan encouraged the planting of durable cash crops such as tea (in 24 of these villages), but more broadly sought the reduction of swidden cultivation by removing large portions of the villages' secondary forests from the cycle of shifting cultivation, designating the areas as protected reserves. In some 10 villages, this plan had brought about a drastic reduction in the area of fallow land and, consecutively, there was a brutal acceleration in crop rotation, with the average time of land left fallow being reduced from 10 to 6 years (Ducourtieux &al., 2004: 221). As a reprieve, in 2001 there was a temporary moratorium on the Land Forest Allocation, with its implementation resumed by the district authorities in 2004.

Since 2003, 30 villages have been prohibited from practising swidden cultivation outright, precipitating the change from an economy favouring self-reliant subsistence to an agriculture oriented towards the market economy. This prohibition is part of the official programme to end poverty. At the 7th Communist Party Congress in 2001, the Lao government adopted two measures with a view to fight against poverty: the elimination of opium production by 2005 and the progressive phasing out of shifting cultivation by 2010. (Lao PDR 2003, op. cit. in Ducourtieux, 2006: 74). These laws will, in fact, strike several blows against the initiatives of the French-directed project, which was unable to adapt its plans to reflect this new reality. And it is the poorest inhabitants of these villages who will be the most affected.

### 3.1 The Land and Forest Allocation plan vs. animal husbandry and forest products

One of the major activities proposed by the project was to enable poor families without cattle to be entrusted with animals. Along with assistance and information about animal development (notably through the training of veterinary specialists) this initiative was particularly appreciated by the inhabitants. However, the benefits of this activity were rapidly limited through the effects of the new land policies. In the context of the pressure resulting from the Land and Forest Allocation, these poor families would be obliged to sell the animals entrusted to them to buy rice in order to feed themselves.

Since 2003, the resumption of government directed relocation of remote populations to lowland villages on the main roads (e.g., three new displacements were planned for 2006) has, in the short and medium term, made the situation worse; it has affected not only the poorest families but all the villagers, with the risk of reducing to zero the results of the efforts undertaken by the French project to develop animal husbandry. The Land and Forest Allocation reduced the areas of cultivated land but also reduced the land used for animal pasture; often, this had been a very large area around the original sites. The new land allocated to the displaced people cannot provide all their cattle with fields for grazing. Moreover, the livestock generally has to be sold to meet the costs resulting from relocation and for the purchase of rice. Therefore, in the village of Kodeng, relocated in 2003 and then delimited by the Land and Forest Allocation act, the number of buffaloes was reduced from 60 to 15 over a period of five years.

### 3.2 When Swidden Cultivation is Forbidden: Failure to Adapt to New Needs.

Terracing the rice fields of Phongsaly is an old dream, dating back to the beginning of the 20th century. During the colonial era, the French initiated work on this project with several Phunoy families:

Ten or so families have built terraces in the curve between Phongsaly and the Barthélémy pass (on the road to Hatsa). The work, which began in 1939, was completed and each family had 2 to 3 hectares. (Harvard-Duclos, 1959: 9)

During the 1960s, the Pathet Lao communist authorities, in their turn, strongly encouraged the Phunoy peasants to cultivate such rice fields. This soon proved to be impossible, notably due to the lack of water and the major damage caused by local predators, as the land was difficult to watch over, being a long way from the workers' dwellings. (Jouanneau et Laffort, 1994:89)

The question of the relative feasibility of terraced rice fields is not simple. Some observers (and many peasants) have insisted that the large scale development of terraced rice fields is impossible due to local shortages: lack of water, the permeability of the land, the sheer cost of investment, and so on. We would point out, however, that in ecologically and topographically comparable areas of Vietnam and China, terraced crops are prevalent. It would seem that the difficulties entailed by terraced rice fields are linked to their high labour requirements, and this considerable investment in work-hours has to be evaluated in the context of (global) changes in agro-pastoral practices. The market, and the methods of the modern world, alters the whole logic of striving to establish traditional agrarian systems, such as terraced fields, where they do not already exist:

> [F]aced with a dynamic that is both ancient and advanced, the needs of this zone are therefore more in need of help with increasing agriculture, which includes amongst other [things] research in technical solutions to develop permanent and cash crops as well as [...] flooded terraced rice growing.
>
> (Mellac, 2006: doc A, 49).

Very soon after it was started in the region, the PDDP offered technical assistance to rehabilitate and organise the terracing of rice fields. But as it was initially decided that the financial aid to irrigate rice fields would not be considered an important activity (the aim being, according to one of the heads of the project, not to substitute terraced rice fields for swidden, thus going along with government policies), the aid would only affect the most motivated peasants.

Because these motivated peasants were also among the most well off, the project decided to only provide technical support and financial aid up to 25% of the cost of irrigation. The peasants therefore had to have the financial capacity to provide 75% of the investment themselves. In 2004, the PDDP had thus contributed to the planting of 251.82 hectares of irrigated, terraced rice fields. However, this only involved 13% of the families in the 48 villages concerned. By doing so, the aid for planting rice

fields would have the very opposite of the project's stated objectives: it was increasing economic inequality. Moreover, this reinforced the contrast between peasants constrained by the Land and Forest Allocation act, and who were also obliged to grow cash crops (tea), and those peasants who had, at the outset, the financial capacity to start planting rice fields with the support of the project.

Perhaps the most drastic failure of the PDDP was that it did not seem to have taken into account the impact of the prohibition of shifting cultivation (swidden); this meant that the majority of peasants could no longer grow rice, their principal source of food. How was it possible that the leaders of the project could not foresee the obvious repercussions of such a measure?

It seems that, following its own logic in not discouraging shifting cultivation, and basing its decisions on studies of the agrarian system undertaken in 1994, the project simply ignored this fundamental change. The second phase of project documents of 2002 claim to have sufficient knowledge of the zone already, stating that it was therefore not necessary to carry out further any analyses, nor to acquire more recent information (2002: 5). In this same document, the "ray rice" from slash-and-burn fields was presumed to continue to be the primary product of the district for some time to come (*ibid*.: 59). In 2005, the project's technicians and management confirmed that they were not aware of the implementation of the prohibition of shifting cultivation for the 34 Phunoy villages in question; in fact, this had been mentioned previously in several scientific articles published by the former head of the project (2004, 2006) and was increasingly evident from 2003 on.

The financial aid plan to help peasants set up and cultivate rice fields, while no longer in competition with shifting cultivation, curiously remained at a level of only 25% subvention, allowing the richer peasants to acquire more rice growing land while the preponderance of peasants found themselves passing abruptly from self-reliant subsistence agriculture to growing single cash crops. The incommensurability of PDDP's objectives with those pursued by the government (as was evident not only in the process of village relocations, but also in the land allocation initiative and the prohibition of swidden cultivation in favour of cash crops) detracted from the effectiveness of the project's activities. The plantations were not given time to grow and the development of animal breeding was insufficient to provide enough income for the peasant economy. Even though the project had tried to play a more dynamic role when confronted with some of these policies (such as calling for the moratorium on the Land and Forest Allocation scheme, 2001–4), it had not managed to reassess its actions in these Phunoy zones as they underwent considerable transformations.

As explained above, conditions beyond the PDDP's control or understanding resulted in the outright abandonment of target communities in the southwest, rendering the attempts at assistance and material improvement there worthless. In the

rest of the Phunoy zone, the project's activities had an effect on a large portion of the population, but finally proved to be inadequate relative to the profound changes brought about by national policies; the internationally supported plan was out-of-step with the new socio-economic situation of the local villagers.

Obliged to adopt single-crop farming geared towards a market economy, these villages were now grouped together near the roads. As explained, the cultivated areas were drastically reduced, with pressure on land use increasing. Extreme situations sometimes arose; certain villages found themselves losing half of their land, whilst others, which had been rapidly settled on the roadside, lived in a legal vacuum, as the land they occupied still officially belonged to the neighbouring villages. In this context, hunting and gathering became rarer and rarer because of the intensive pressure upon these resources. The abandoned sites of the old villages became overgrown with dense foliage into which the peasants no longer ventured.

In the end, the government's objectives (not PDDP's) have been attained in the Phunoy zone. Large areas of forest are now "protected" from the local inhabitants, who are packed together around the main trunk roads. The protection of the environment has perhaps gained something, but not the local population, who are paying the price. As the Phunoy say, "What's the point of having old forests if you can't plant good rice fields?"

## 4. The Akha: Forsaken by the Development Process?

The situation of the Akha population, mostly located at the district's north end, is much different from the Phunoy discussed above, due primarily to the remoteness of their population. The Akha are classified in the same ethnic category as the Yi found in southwest China; the Akha language, like the Phunoy's own, is part of the Loloïsh sub-group of the Tibeto-Burmese language family. There are 42 different internationally recognised subgroups in this family, now found scattered throughout Laos, Burma, China, Vietnam and Thailand.

According to the 1995 census, there were 60,000 Akha in Northern Laos (3000 in Phongsaly district) while estimates of their total population in Laos are around 100,000. One of the first waves of their migration into Lao territory occurred around 1855, coinciding with a Muslim uprising in Yunnan province (Lewis, 2002). The last waves of Akha migration entered Phongsaly district few decades ago, as observed by Ducourtieux (2006b). According to the Akha tradition ("*Akhazang*"), a settlement must have at least three clans to ensure matrimonial exchange between them. If one clan migrates out of the village, the two remaining clans must find another clan to settle in, or else migrate themselves to join another village, even if the population is quite large (Daviau, 2005).

Akhazang addresses the whole of Akha life at all levels, with customs governing a range of responsibilities in subsistence agriculture, the family, animal husbandry, and so on. Corn is planted together with manioc, eggplants and sunflower. Then, once harvested, the remaining plants are dried and burned in the field; then the soil is ploughed and the opium seeds are planted, mixed in with seeds for a variety of *pak-khat* (a vegetable consumed boiled or pickled). The lot is cultivated for 3–4 years, and then left fallow for 7–15 years. This pattern of cultivation is part of the orally transmitted customs of the people, as explained Alting Van Gesau (1983: 460).

Our field study was conducted in an Akha village named Chakhampha in May 2005; it is an Akha Nu Quay community of 183 inhabitants. The other communities in the area were were Lao-Phou-Chaui and Choka (ethnic Ho) and Sopkang (ethnic Lao Seng). Below, we would first demonstrate how the remoteness of some villages allowed them to preserve a kind of political and economic autonomy. Subsequently, we will see that this isolation has been a constraint for the implementation of the PDDP's development plan.

Despite the designation of these as impoverished villages (based on Lao criteria) one should not simply presume these villages to be poorer because they are further from services. In fact, even if food security is compromised by government policies, the abundance of forest resources can ensure a stable and rich diet to villagers, which is not the case in resettled villages.

### 4.1 Remoteness and the Preservation of the Akha Way of Life

Akha history is one of struggle for the preservation of their autonomy. The whole Akha Nu Quay community has moved 4 times since its foundation, each time further away from the centre of administration. The beu mor (traditional leader) explained this migration by the community's willingness to move away from wherever crimes and problems were too frequent, mentioning the French, Japanese, Chinese and American occupations. In fact, the first move in the 1930s was probably linked to the corvée (forced labour) regime imposed by the French colonial administration.

This eagerness to preserve their autonomy is evident in the political and economic autonomy of each Akha community, traditionally serving a primary social unit. In the Akha language, mitsa designates the village territory demarcated by the border (*mikha*). Within these bounds, production of any kind (gathering, hunting, fishing etc.) is permitted for local villagers only; outsiders are forbidden. More generally, customary regulations that rule daily life are still observed, such as the sexual division of the household into male and female spaces, and respect for the local elders who preside over all spheres of life (though we must acknowledge that nowadays, youth are increasingly independent from traditional authority and power structures).

The unity of each Akha settlement signifies that departure from the village is considered a rupture for the community; separations are *de facto* less frequent than is the case in the Phunoy communities. Another factor explaining why few Akha leave their community is the lack of networks of relatives or fellow Akha in urban areas whom they could rely on when migrating, as the Phunoy did.

This desire for autonomy, that has made the Akha populations of Laos seek out homes remote from the centres of authority, has had a major impact on their subsistence economy, strongly characterised by self-reliance. All production activities (shifting cultivation, animal husbandry, collection of forest products, weaving, cooking, etc.) are implemented at the household level. Out of 41 households, 39 practised shifting cultivation and the other two, the poorest of the village, lived on wages earned by labouring on others' land (and from the mutual assistance of community members). Rice plots were cultivated for only one year at a time, followed by a fallow period from 7 to 15 years, with yields averaging 66 kg of paddy for each kg planted. Cassava, cucumbers, sugar cane and sunflowers were planted within the rice fields while cotton, peanuts, and soya beans were planted on individual plots. The only form of production for external markets was opium. Despite their isolation, Akha used manufactured products such as cooking pots, medicine, and radios. Cash income was also derived from the sales of animals, wage labour and borrowing from relatives.

The relative isolation and, as we will discuss below, the low level of involvement of external actors in the village has allowed the social fabric of the community to be preserved. While threatened by state policies and market integration, local knowledge, vernacular institutions, architecture, language, and cultural traditions (*akhazan*), have been preserved.

### 4.2 PDDP Involvement: a Timid Presence in a Remote Community

The PDDP was the only project that had ever been implemented in Chakhampha village, but its activities there commenced much later than in the Phunoy villages, due to limited access constraints for the project teams. The presence of the project teams in those villages had been less regular than in the easily accessible Phunoy villages, even after the development activities began.

Perhaps, this fact led to the failure of some initiatives. In the case of cardamom planting, most of the villagers involved testified that the plants died in the first year due to the delay in transporting the plants from China to their community. During the field study in 2005, the project was introducing another crop for income generation: the *boehmeria malabarica*, commonly called Tiptee in Lao. The weak presence of the project in the Akha villages, as testified to by the study conducted

in Chakhampha, and also in three other remote communities, meant that the PDDP did not keep apprised of the facts as activities came to be monopolized by the local elite. In each community, holders of political functions (village headmen, deputy or mass leaders of the Mass Based Organizations (MBOs), etc.) were given key positions in the project at the village level. They were also the ones selected to benefit from pilot activities, and sent to the province capital for training. Furthermore, the study revealed that the most vulnerable in the communities (widows, single-headed households, the disabled, etc.) were often excluded from the same activities; one common example would be that they were not registered in the village book, hence, they could not be eligible for project activities.

Despite the activities and this monopoly on the receipt of foreign assistance by the wealthiest, the project's presence remained weak and villagers' knowledge and understanding of its purpose remained low. Interviews revealed that in many cases villagers like Mr. Yipha didn't even know the name of the project that had given him a cow, let alone its objectives. Some others knew the name ("PDDP") but did not understand its status, viz., whether it was a development project supported by an international agency or by the Lao government. It seemed that the bilateral status of the project and the fact that PDDP supported the government made it indiscernible from state authority. This resulted in confusion, with the government taking credit for the project's achievements and the project relying on government authorities to enforce participation.

With its weak presence and paltry results, the project had a low impact in the Akha community from the point of view of the beneficiaries themselves. During the interviews conducted in 24 households in 4 remote communities, including Chakhampha, the respondents (husband and wives) were asked what had been the most important changes (positive or negative) in their livelihoods in the last 10 years. Their answers included the increasing availability of industrial goods, better means of transportation, that men could now acquire mass-manufactured clothing, and so on. None of the households interviewed mentioned the PDDP nor the activities supported by the project as a factor in their changing lives.

Nowadays, the PDDP continues to have an indirect impact on the community. This is related to the change in rural networks of trade and exchange after the PDDP's construction of a market in Hatsa. The latter is an important Lao village located on the Nam Ou River, a few hours' walk from the Akha villages and accessible by road from Phongsaly. The benefits of the creation of the market, as mentioned by the villagers, is that they can benefit from the bi-monthly fair to purchase or buy products that were formerly found only in Phongsaly's provincial capital. The main inconvenience is that since the opening of the market in Hatsa village, the Ho, Phunoy and Chinese merchants now wait comfortably in the market and never go

out to the remote villages anymore. The villagers, and especially the women, are now constrained to walk long hours up to Hatsa in order to sell their products (such as small animals and corn).

One perverse impact of the Hatsa market has been the emergence of trading intermediaries that make their profit from Akha products. Before the building of the market, Akha would pass by Hatsa on their way to Phongsaly, where they sold their products directly for a higher price. With the creation of Hatsa market, Akha villagers now sell fish to Phunoy merchants based there, even if they plan to go to Phongsaly. The result is that fish from the Nam Ou river are sold for 12,000 kip per kg in Hatsa but double that (25,000 kip/kg) in Phongsaly's capital and often, once they have sold their products, ethnic minorities will go to Phongsaly anyway, with only part of the benefit they could have obtained in the province for their animals, fish or forest products. Furthermore, during the ride up to the capital, Akha and other minorities from remote villages are often told to be careful and not sit on the merchandise that was their own just before the transaction. This illustrates the perverse effect of the project's construction of the new market.

Although their remoteness allowed the Akha to preserve a certain degree of independence, this same factor kept them away from the development activities proposed by the only foreign project involved in the district. The impact of the PDDP on their livelihood appears to have been low; they have only benefited indirectly from activities implemented in other villages, closer to the centre. Does this situation mean that actions implemented by external agencies in Akha communities are impossible? No; as shown below, the same national policies, mentioned above in the Phunoy context, have been implemented in these Akha villages as well.

### 4.3 Government Policy and Change in Chakhampha Village

Until 2004, the Akha of this sub-region had been relatively spared from the development initiatives of the Lao state: no infrastructure had been built in their villages and while many laws had been promulgated they were not actually enforced in this remote territory. However, as in all villages throughout Laos, the Akha had a standard administrative unit composed of one village chief and his assistants, with representatives for the mass organizations (viz., the Lao Women's Union, Lao Youth Union, Lao Front for National Construction, and the village militia). The village had not yet been exposed to resettlement along the roads, nor obliged to start planting cash crops, nor put under pressure by the Land and Forest Allocation programme.

In this context, the community still relied on customary law to manage agrarian and forest spaces. Diverse terms were used to describe the different stages of the

forest or the ritual function of any given area. Forest suitable for cultivation was variously designated as:

- Current fields of swidden rice (*hya shou*).
- Swidden fields now fallow from the previous year (*hya sa*).
- Fallow land not yet suitable for replanting (*sa nong*).
- Forest suitable for another round of swidden planting (*sa ka*).

Ritually protected forested spaces (a bo chou tha neu) were further divided into four different categories:

- Forest where the community conducted land-spirit rituals (*mitsanlo*).
- Forest for rituals linked to productivity ().
- The lo piong cemetery, a 1,000 meter belt set around the village for protection (*toshu*).
- Old forest (mi-u, meaning more than 20 years of age) preserved as a firewall in-between the land parcelled out for swidden.

In these four ritually-protected forest areas, shifting cultivation (and other forms of production) was strictly forbidden.

In 2005, a project aiming at opium eradication supported by the Lao-American Drug Control Project was launched in Phongsaly district. Government policy was advertised by government officials' visits and with a lecture at the village level. This programme, officially launched for the development of the population growing opium would, this time, largely target Akha communities despite their remoteness. The interdiction to eradicate opium production was brutal, without any other alternatives proposed, and has had several negative impacts on Akha livelihoods. The end of opium production was likely to put an end to the 3–4 year cultivation cycle on the same plot; this meant that each household would have to clear one new plot each year instead of returning to the same plot up to 4 years in a row (as was the case for combined opium-and-corn production), contributing directly to increasing the pressure on the land to be exploited, and what remained as forest cover.

The eradication of opium has meant the loss of the main source of income for the community. Until that time, opium production was overt and carried on as if it were legal. In fact, representatives from the tax department would come once a year to collect taxes on cooking wood, rice and other crops' production, televisions, rice huskers, but also on opium. It was taxed as a normal crop. Opium production usually averaged 1 kg per household per annum (yielding about US$350); however, households with sufficient labour forces could, in the best years, get as much as US$1,600 out of

their production. The profits were converted into the purchase of manufactured goods, rice huskers, televisions, generators, clothing, animals, and medicine.

A given household would not sell their opium in a single shot, but hid it underground and stretched out the sales throughout the year, or over a longer term, as a form of savings and insurance in case of later need. There is no equivalent to opium production in terms of income generated, nor is there a substitute for it as a medicine, both curative and palliative.

From a health perspective, the eradication occurred prior to a detox programme, leaving the communities in a situation of despair. Left without income, villagers turned to the selling of high profit animal and plant species to the Chinese market: reptiles, deer, turtles, and bears. Finally, opium eradication resulted in the merchants vanishing; in the past, they would come into the village with products to exchange for opium. However, with the opium gone, nobody would make the journey to the upland Akha villages anymore, and the exchanges now take place at the market fairs (either twice monthly in Hatsa or at the provincial capital) with the difficulties aforementioned.

The opium eradication programme was implemented in the name of economic development, but has considerably weakened households' ability to enter the market economy. Akha villagers face a tremendous loss of income. This eradication does not allow villagers to convert to other agricultural opportunities that would lead to "development". Rather, after the eradication campaign, villagers were informed about the next big scheme, to eradicate shifting cultivation (swidden rice, the staple of their diet).

Some villagers had already anticipated this interdiction, taking advantage of the earlier shift toward terraced paddy-rice cultivation. Eleven households own terraced rice fields; but here again, this cultivation has been made possible by the profits from earlier opium production. The labour was paid for in cash, with 8 of the households in this village hiring Chinese farmers to dig their fields. This is not an isolated case: the study revealed the same phenomenon in all 4 of the villages visited: 3 households hired Chinese to dig their paddy field in Choka village, 2 in Laophouchai and 2 households in Sobkang village. The funds to leverage this capital investment were, in fact, derived from the sale of opium; other members of the community cannot benefit from the same opportunity.

In the face of this imposed development scheme, the community displayed an image of submission to the Party. How could it be otherwise, as dissidence is not allowed? Nevertheless, voices emerged within the community, not against the national policies (as they would not discuss those issues with an outsider) but against production constraints and the decreasing yields resulting from the programmes to eradicate shifting cultivation.

Curiously, the community is bending to the state's regulations. In order to understand the people's behaviour, we have to look more deeply into the prevailing political situation, from the local perspective. Certificates provided to the heads of households for "Services to the Nation" (often derived from their contribution to implementing these or other new laws) are displayed in the main room of each house, together with a document prescribing how to behave. This seems to be a pervasive means for stimulating devotion to the path ahead, as shown by the Party. Each of these documents is signed by the hand of the governor himself and bears his red seal.

The implementation of laws and development initiatives such as the Land and Forest Allocation have increased villagers' dependence on the Lao state for conflict resolution involving neighboring communities. For instance, Phou Ysang village is encroaching upon Chakhampha's land for shifting cultivation, and this is not the first time. The solution mentioned by the village head calls for the district authority's intervention to reinforce territorial integrity, since customary law is not being respected.

The government has had more impact on the Akha and other ethnic minorities located on the margins than the PDDP. The means made available for this type of "development" promulgated by the state have been sufficient to have clear impacts, despite the remoteness of Akha communities. One result of the opium eradication programme is that communities are under long-term pressure for political, economic, cultural and territorial integration. In Chakhampha, the subsistence economy continues and social inequalities are not increasing all that much; every household is still cultivating its fields on its own and the emergence of non-farm activities has yet to be seen. The community keeps on growing crops and has not faced migrations or pressure to resettle. In contrast to the Phunoy communities, it seems that the remoteness and lack of access preserved the community against the introduction of commercial crops (and contracted farm labour) at the expense of rice production.

## 5. Conclusion

Never before has "development" been so much discussed in Southeast Asia, but what type of development, and for whom? These are the questions that should be asked when considering the changes that are currently taking place in the Indochinese peninsula, including pressure from China and the trilateral agreements signed in 1999 for the free circulation of goods and people between Thailand, Laos and Vietnam.

In the case of Laos, our article intends to show how the "development" policies implemented by the state are, so far, those that have had the most significant impact on the life of rural populations in the country. The study of the actions of an NGO, such as the PDDP, on the populations of Phongsaly district illustrates that they are

largely subject to state power, and that the latter either supports programmes or, instead, tries to obstruct them. If government officials feel that their own vision of national development is contradicted, NGO activities will halt.

It is evident that the state often relies on external authorities to set up development projects that interest them, such as American aid support for the battle against opium production and the Land and Forest Allocation, carried out with the help of Swedish forestry agencies. The eradication of swidden cultivation, which for a long time was promoted by various international agencies in the name of the protection of the environment, was not locally implemented by the state until it was combined with the promotion of cash crops. Now, the same authorities that had previously given half-hearted support to the project have suddenly found the means to apply the policy.

The intensification of this type of production has always corresponded to the objectives fixed by the Asian Development Bank, but now it also happens to coincide with the interests of the two "big brothers" adjacent to Laos: Vietnam and more particularly, China. Chinese companies, falling into line with the Laotian government's (unfulfilled) ambition to progress from a subsistence economy based on swidden cultivation to market oriented agriculture, are arriving and imposing these legal conditions on the local peasants. China then builds roads, creates businesses, gives the peasants an opportunity to sell, but imposes its own conditions (single cash crops, monopoly of purchasing, etc.).

In this context, we must question whether any development project put forward by an NGO will not be rapidly undermined by state policies, as was the case for the PDDP. All this is undertaken in the name of a development that will only be profitable for a few commercial powers in the long run and nevertheless shall, in the short term, result in increasing impoverishment for some 80% of the Laotian population, who are currently making their living through agriculture.

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## Chapter 3

# Poverty Reduction or Poverty Creation? A study on Achieving the Millennium Development Goals in Two Indigenous Communities in Ratanakiri Province, Cambodia

**Jeremy Ironside**

There is much discussion and significant resources are being allocated to reducing the poverty of marginal and vulnerable groups throughout the world. Despite this, experience has shown that even in countries that have successfully reduced poverty, indigenous minorities often represent deep pockets of the most vulnerable, marginalized and impoverished segments of society, who are being left behind (UNDP, 2003). These groups continue to face multiple threats to their beliefs, cultures, languages, and ways of life and "continue to endure below average living standards, unequal access to justice and loss of traditional territories. . ." (UN News Centre, 2004). In several countries widening socio-economic gaps have had a negative impact on overall development. Managing cultural diversity has become one of the central challenges of our time.

This paper presents a description of the socio-economic situation in two indigenous communities in a province in the very northeast of Cambodia, to understand why they are not likely to reach the Cambodian MDGs by 2015. The first part of this paper presents a general introduction to Cambodia's indigenous people, and some of the problems they are facing. The economic development of Cambodia and the development dynamics presently found in Ratanakiri Province are also briefly described. The second part presents villagers' perspectives of the Government's poverty reduction strategies and the relevance of these to their situation.

The government hopes to reduce the poverty of these groups and bring them into the mainstream of the country's development process. It has set an ambitious agenda in line with the internationally agreed MDGs of halving poverty, ensuring free education for all up to grade 9, etc., by 2015. However these centrally developed, standard poverty reduction strategies and targets do not take into consideration the special needs of marginal, indigenous groups to maintain their identity and self-determination in the face of relentless change.

In Cambodia 10–15 years of economic growth and international assistance has not resulted in any significant poverty reduction for the majority of the population living in remote provinces, where the majority of Cambodia's indigenous peoples are found. Indications are that for these indigenous groups their poverty is deepening and is likely to continue to do so.

## 1. Cambodia's economic development and its indigenous people

Indigenous peoples presently make up the majority of the population in 2 of Cambodia's 24 provinces (Mondolkiri and Ratanakiri). Compared to the overwhelming Khmer majority in the country as a whole, however, their numbers are small. Their culture is village-based and only very recently have pan-village indigenous organisations begun to develop. There are no precise figures for the populations of these groups; they are not collected as such. The last census (1998) asked about mother tongue only and concluded that there are 17 different indigenous groups numbering 101,000 or 0.9% of the population. A World Bank Screening Study of indigenous populations in Cambodia, however, found large differences between "mother tongue" data in the national census and their empirical research (Helmers and Wallgren, 2002). The study estimated the Kuy population in 2002 at 19,496 (or 14.67% of the Provincial population); this was more than four times as large as the number shown in the 1998 census (4,536).

Ratanakiri's indigenous population is shown in the following tables. These figures indicate a decline in the overall percentage of indigenous peoples in the population. However, as seen in Table 2, some groups show a decline or little growth in population over 5 years, despite population growth rates of 2.29% in the country's north-eastern provinces (NIS, 2005). Therefore these statistics do not appear to be credible. From a 2005 population of 124,403, the Ratanakiri population is expected to grow to 181,864 by 2013 (PDP, 2005).

**Table 1: Population and percentages of indigenous peoples in Ratanakiri Province.**

| Year | Provincial population | Population of IPs | Percentage of IPs | Source |
|---|---|---|---|---|
| 1998 | 94,243 | 63,953 | 67.86% | 1998 Census mother tongue data |
| 2000 | 99,721 | 68,457 | 68.65% | Helmers and Wallgren (2002) |
| 2005 | 124,403 | 71,405 | 57.4% | Provincial Dept. of Planning (2005) |

**IPs:** indigenous peoples

**Table 2: Ratanakiri's indigenous peoples**

| Ethnic Group | Population | | | Percentage of total Provincial population | | |
|---|---|---|---|---|---|---|
| | 1998 | 2000 | 2005 | 1998 | 2000 | 2005 |
| Tampuan | 22,128 | 23,765 | 28,266 | 23.48% | 23.83% | 22.72% |
| Kreung | 14,877 | 16,052 | 16,093 | 15.79% | 16.10% | 12.94% |
| Jarai | 15,669 | 15,794 | 15,398 | 16.63% | 15.84% | 12.38% |
| Brao | 7,132 | 8,051 | 7,938 | 7.57% | 8.07% | 6.38% |
| Kavet | 1,726 | 1,893 | 2,129 | 1.83% | 1.90% | 1.71% |
| Kachok | 2,054 | 2,645 | 1,026 | 2.18% | 2.65% | 0.82% |
| Lun | | 136 | 300 | 0.00% | 0.14% | 0.24% |
| Phnong | 367 | 121 | 257 | 0.39% | 0.12% | 0.21% |

Ratanakiri Province also ranks at the bottom of many of Cambodia's socio-economic/MDG performance indicators as shown in Table 3 below. This gives an idea of the problems faced by Ratanakiri's indigenous peoples, as Cambodia as a whole is not likely to meet several of the MDGs.

**Table 3: Ranking of Ratanakiri Province in Cambodia MDG statistics (MoP, 2003)**

| Cambodian MIDG (CMDG) | Ranking (out of 24 Provinces) | Likelihood of achieving the MDGs |
|---|---|---|
| 1 – Food and Income Security | 24th | Poorly placed |
| 2 – Education | 23rd | Poorly placed |
| 3 – Gender | 21st | Poorly placed |
| 4 – Infant Mortality | 22nd | Poorly placed |
| 5 – Maternal Mortality | 24th | Poorly placed |
| 6 –HIV/AIDS, Malaria, TB | 19th | Poorly placed |
| 7 –Land and Forests | 22nd | Poorly placed |
| 9 –Mine Clearance | 11th | Intermediate |

However in addition to these conventional indicators of poverty, indigenous communities face other serious shortages of information, assistance, and legal recognition, which helps to explain the reasons for the low socio-economic rankings of provinces with large percentages of indigenous peoples. "Poverty" in these communities also results from such factors such as: neither participation nor consultation in Government strategies and development plans in their areas; a lack of policy to guide these plans; little assistance to allow them to deal with new and changing circumstances; coercive

imposition of outside cultures; a lack of recognition of their own cultures and the contribution these make to a multi-cultural Cambodia; no legal recognition of their rights to the lands and other resources which they depend on for their livelihoods, etc.

### 1.1 The Wild East—A Summary of Cambodia's Economic Development

The development paradigm for the country, largely imposed by international financial institutions (World Bank, International Monetary Fund) through economic reforms implemented since the early 1990s, is a strategy of free market economics and trade liberalization. The private sector, it is argued, will be the "engine" that drives economic growth, resulting in poverty levels falling.

However, macro-economic reforms designed to promote financial stability and economic growth have also resulted in a widening urban/rural divide in the country. Cambodia's dual economy, with the urban economy largely based on the US dollar, and the rural economy largely based on the *riel* (Cambodian currency), has exacerbated this imbalance. Estimates show that while poverty rates have fallen significantly in the urban and more accessible rural areas (around 28%), poverty rates (around 45.6%) however are much higher in the remaining rural and less accessible areas where indigenous peoples are found (MOP, 2005). Over the past decade economic growth has been restricted to urban enclaves and rural growth has barely kept pace with the population increase.

Despite present efforts to reverse this urban/rural gap a focus on "Significant improvements in poverty rates in urban and more accessible rural areas" (NSDP 2005, 27) will likely mean that the gap will become wider or at least persist for the foreseeable future. Under present conditions there are few incentives for firms to invest outside urban areas, even though in 2004 91% of poor Cambodians lived in rural areas (World Bank, 2006). A policy bias towards the wealthier segments in society means that the poor and rural households have few choices outside natural resource dependency (IMM et. al., 2005). Because of this the assumption about overall economic growth trickling down to the remote marginalised populations, and particularly to indigenous people, does not seem credible. Indigenous peoples are in the lowest poverty quintiles in nearly all countries where they exist (UN 2004), and the implied association between liberalization and growth is not well established for Lesser Developed Countries (Beresford et. al., 2004: 67).

With the joining of the World Trade Organisation (WTO) in 2004, Cambodia has committed itself to implementing a range of economic measures aimed at opening the economy to free trade. Donors are supporting an Integrated Framework (IF), which combines rapid global integration with a pro-poor trade strategy. The IF aims to enable all people in urban and rural areas to enter into domestic and international

trade as an important step toward poverty reduction (Beresford et. al. 2004). However although current policy statements emphasize pro-poor trade other necessary macroeconomic polices are not yet in place and trade liberalisation in Cambodia will likely not contribute to poverty reduction (Beresford et. al., 2004). These other policies include institutions to regulate the market, judicial and public sector reform, investment in social services and rural development, land titling.

Impediments to international economic competitiveness in Cambodia include: lack of enforcement of existing regulations; the weak legal framework (particularly to safeguard rural businesses); the high formal and informal public sector administrative payments; the poor infrastructure and support services; the absence or low quality of government services; and the limited availability and high costs of inputs, including energy and financial services. (Beresford et. al., 2004: 7). Also a dependency on open markets and free trade risks leaving Cambodia more open to external shocks such as recession. Export transactions are carried out in $US and Cambodia therefore cannot regulate its own currency to retain international price competitiveness. Its narrow export base leaves Cambodia vulnerable to competition (Beresford et. al., 2004). All these factors have the potential to exacerbate poverty rather than reduce it.

Beresford et al. (2004) argue that addressing the immediate constraints in the country of; governance, infrastructure, and poor human capital will go further in addressing pro-poor trade growth since it will expand the number of products that can be exported and widen the proportion of the population that can benefit from trade liberalisation, and . . . re-distribution of growth (Beresford et al., 2004: 171). The many obstacles preventing rural people from participating in trade-oriented activities mean that "Growth with increasing inequality . . . could actually increase the incidence of poverty." (Beresford et. al., 2004: 38). In other words while there are possibilities of strong market growth this could at the same time result in the underdevelopment of the more marginal members of society mainly small farmers, women, children and indigenous peoples.

Where trade competitiveness is considered satisfactory and Cambodia is earning revenue, such as the garment and tourism sectors, these revenues remain in urban enclaves (around Phnom Penh, Siem Reap and Battambang). The garment industry is also characterised by high import content of raw materials and machinery, as well as a significant amounts of repatriated profits. It has been calculated that actually only 25% of the sale price of the garment is the net value added which stays in the Cambodian economy. Tourism is similar with low value added content and a large percentage of profits repatriated, by foreign owned airlines, hotels, casinos, package tour companies, and even the Cambodian souvenir shops (Beresford et. al. 2004). Also despite the large increases in tourism in Siem Reap Province (to visit Angkor Wat), it continues to be one of the poorest provinces in the country (Beresford et. al. 2004).

There is therefore limited impact on the majority of the rural population and by implication on poverty reduction from the present economic growth models (Beresford et al., 2004: 171). From the above examples trade liberalization is likely to remain concentrated in the enclaves and unlikely to contribute significantly to pro-poor growth. The Cambodia Socio-Economic Survey (CSES) 1999 reported an annual per capita income of $250 for Cambodia, $197 for rural people, and $691 for people in Phnom Penh (IMM, 2005). Diversification is unlikely to occur in the short term.

**1.2 Private sector development and the process of underdevelopment in Ratanakiri.**

The Government's stated policy for its north eastern border provinces is to develop the region as an engine of economic growth with cash cropping, agricultural land concessions, etc. The RGC have recently developed a Development Triangle Programme with the governments of Laos and Vietnam to link together the remote neighbouring provinces of Cambodia, Laos and Vietnam. This document has not been made public, but it apparently emphasizes infrastructure development, large scale commercial agriculture (cashew, rubber, etc). Donor representatives, who have seen the document, expressed concern about the impacts on local cultures and livelihoods, and on further land encroachment into forest areas for these plantation crops. Vietnam is also proposing a free trade zone at the border with Ratanakiri and is loaning Cambodia $26m for sealing road 78 (between the provincial capital—Ban Lung and the Vietnam border). These policies and plans have been prepared without the participation of the affected indigenous and non-indigenous communities.

As seen with the experiences in the garment and tourism industries, large scale industrial agriculture development not structurally linked to the wider economy will not result in the poverty reduction of the rural poor. There is also the risk of foreign owned plantation companies repatriating much of their profits overseas. Small farmers have to compete with larger scale commercial farmers and companies, often literally for the same piece of land. They are also at a disadvantage accessing credit, markets, technologies, etc. The only benefit that large scale industrial agriculture may bring to small farmers is low paid employment.

Unproductive forest and land concessions, illegal land clearing, logging of community forest areas, large scale (often forced and illegal) land buying/grabbing at ridiculously cheap prices in Ratanakiri and other provinces are typical examples of the reality of the much talked about private sector economic development models. Many forest and land concessions have hardly returned a single riel of revenue to the Government. Malaysians and Chinese are the 2 most prominent concession holders. There is no public scrutiny of these contracts and concessionaires take advantage of the weak regulatory framework, poor enforcement of property rights and corruption,

and conduct widespread land grabbing (Beresford et al. 2004). The irony is that many of these investments are promoted in the name of poverty reduction. Many of these private sector activities are what is causing the impoverishment of small local farmers, the widening gap between urban and rural areas, and between the traditional and the new market oriented sectors within rural areas.

The natural resources on which people in these provinces depend are under threat from government schemes, larger commercial interests and powerful people (Danida/DFID, 2006). The open market economic system combined with a weak legal environment has meant that many government officials have used their position to further their own interests. Logging blitzes by the military soon after the fighting in Phnom Penh in 1997 and the recent (2004) plundering of the forests in Virachey National Park near the Laos and Vietnamese borders are examples of officials and private interests in an uncontrolled feeding frenzy, devouring the country's resources, and terrorizing people who get in their way. In the sense that rural/indigenous populations have lost faith in the countries security and law enforcement services, the cost is many times more than the loss of revenue to the national treasury.

The biggest tragedy is the waste and destruction of the very resources required for long term sustainable development. In one of the study villages (Leu Khun) villagers reported that logging started in the early 90s with Vietnamese loggers, but in the late 1990s many trees (high quality hardwood species) were simply felled and left in log depots to burn in the dry season because deadlines passed, the border was closed and the loggers could no longer export their logs. Leu Khun villagers said that after the companies cut all the best quality wood villagers cut their remaining resin trees (which were being tapped for income) to build their houses and soon they said it will not be possible to find trees to build their houses.

With the forests and wildlife largely exploited attention has now turned to a rush to buy the communal land of the area's indigenous communities. People are frustrated to see powerful people buying big areas of land, and the double standard of officials telling people not to sell land when they are selling it. There are stories of land brokers actually working for high District officials.

For indigenous communities the contrast between traditional and the new market oriented system couldn't be more stark. Where traditional communal land and forest management systems offer/offered livelihood security for all community members, market oriented systems are leading to the dispossession of several villlages from their land and large scale deforestation. The transfer of the productive land from the poor small indigenous farming communities to the few outside rich large investors means the poor have to move aside for the industrial agriculture steamroller. Local people are simply powerless to prevent the destruction of their livelihoods and the alienation of their land.

The fact that the new big landowners have bought their land at considerably less than its real value from indigenous peoples who do not have a tradition and hardly understand the concept of private land ownership adds to the injustice. This situation is no better illustrated than by the case of Ta Vientar in 1999 asking Tuy villagers if they would like to give their land for development. The Tuy villagers naively assumed that they would be giving their land for their development. Now this land has been appropriated, developed and fenced into a 100ha rubber plantation by private interests.

Eco-tourism is also touted as a key part of Ratanakiri's development future. Potentially villages along the tourist routes could host visitors and sell handicrafts and other products. However experience of community based tourism in Ratanakiri to date has shown that without secure land base and community solidarity, communities will not be able to manage the income or the rising land prices that tourism will inevitably bring. Outside tourist operators and hotel owners have been the real beneficiaries of recent increases in tourist numbers in Ratanakiri, with indigenous communities often being intruded on for photograph sessions and lacking the skills and business acumen to seriously compete.

In other words economic development models being followed in Cambodia (and several other countries) ostensibly to reduce poverty are actually the main cause of the widening gap between urban and rural areas, and between different groups within rural areas. Those that end up paying for this economic development through impoverishment and destroyed subsistence livelihoods are the already more marginalized and vulnerable local/indigenous communities. If existing models are anything to go by, the term development will mean the wholesale replacement of existing ways of life and cultures. In their place will be industrial agriculture controlled by the powerful few.

This clash of worldviews is explained as tendency of the prevailing economic system to produce poverty and wealth, underdevelopment as well as development . . . splendour and squalor simultaneously (Singh 1978: 66). The region's indigenous populations are therefore intrinsically linked to the economic development of their region. To understand how local indigenous communities will cope with these new changes it is important to ask what kind of growth is being advocated and followed. The economic structural adjustments which have been implemented in Cambodia to encourage the private sector as the growth engine simply do not cater for or allow the participation of powerless traditional communities.

### 1.3 Implications for Cambodia's indigenous peoples

Apart from the economic development models being implemented there are several reasons why Cambodia's indigenous peoples inhabiting the remote provinces will continue to remain at the bottom of the country's socio-economic indicators.

Cambodia's indigenous people are unprepared for the invasion of the outside world that is presently happening in their homelands. Thirty years of civil war has meant that many indigenous areas have been closed to the outside world up to as late as 1998. The French Colonial Government in the 1940s and 50s, and the Cambodian Government under Prince Sihanouk in the late 1950s and 60s exerted some control in indigenous areas, but in 1970 the whole of the northeast of the country (where the majority of Cambodia's IPs live) was abandoned to the Khmer Rouge. Since the fall of the Khmer Rouge in 1979 the populated areas of the country have been able to rebuild, whereas in many indigenous areas fighting persisted and many groups could not return to their homes until relatively recently.

Now that peace and stability have finally been re-established in the country's remotest provinces, there is a growing trend for Cambodians to relocate to these areas. Migrants are largely youths and young adults and Cambodia has one of the youngest populations in the world. A decreasing land area for a growing population in lowland areas, rural underemployment and the availability of fertile cash cropping soils in Ratanakiri and Mondulkiri (Beresford et. al., 2004) are fuelling these trends. Ban Lung the Ratanakiri provincial capital is one of the fastest growing towns in the country (Ehrentraut, 2004). High population growth rates are leading to increasing land pressure both within communities and from the outside.

Weak governance in general and especially in the remote areas of the country has meant this opening up to the outside has resulted in an uncontrolled assault on the lands and forests in indigenous areas. Widespread corruption combined with the ease with which indigenous peoples can be duped, coerced and intimidated has resulted in what could be termed an open season on the traditional lands and forests of the people in these areas. A Ratanakiri Provincial Government official commented that levels of corruption have increased with the establishment of the Commune Councils, with corruption now affecting up to 80% of Commune and District officials, he said. The first nationwide elections for Commune Councilors were held in 2003 and again in 2007.

Several senior Provincial Government officials also commented on the difficulty of getting the national level to understand the unique livelihood and cultural circumstances of IPs in Ratanakiri and what their needs are. There is confusion and competing interests and visions between different levels of government and different agencies over the development of both the country's indigenous peoples and the areas where they live. Each of the different layers and agencies follow their own agendas, visions and policies, promoting cash cropping, plantations, mineral exploitation, etc. This is exacerbated by the fact that many of these remote areas are border areas involving sensitive security issues. Coordination is made more difficult because of a lack of overall policy to guide development activities in these areas and with

indigenous peoples. A general Policy for Indigenous Peoples Development was first developed in 1996 and submitted to the Council of Ministers in 1997 and again in 2006. Both times this policy has been rejected and is currently being revised. There is also a lack of reliable statistics disaggregated by ethnic group, making the specific problems these people face invisible. New data is also required about landlessness, land buying and selling, the functioning of indigenous social structures.

Despite present efforts to decentralise, planning is centralised and consultation and participation of IPs in national development agendas is at best superficial. Ironically the government's policy of decentralisation, instead of increasing local peoples' voice in government has actually resulted in indigenous communities being much more strongly linked with the national government. Responsibility for delivering local development is also being transferred to local institutions without the corresponding financial resources, capacity or authority. Indigenous people working in these local institutions have low levels of literacy and capacity to implement development programmes. Often they become the pawns of higher level government and business people intent on building their own empires.

The result of the fast changing demographics in these areas means the indigenous voice, which has never been strong, will likely to continue to receive limited attention, unless more effective strategies are developed. A typical central government view is that indigenous groups themselves are destroying their culture and future through land selling, etc. While this is not an entirely fair assessment it does highlight the difficulty these cultures are having in getting decision makers to understand their situation. In the absence of participation in government plans and due to the limited implementation of these plans, indigenous communities are forced to develop their own strategies to improve their lives. Several obstacles need to be addressed to avoid local indigenous communities being pushed to the margins of the new society.

## 2. The Perspective from the Village about the Government's Poverty Reduction Strategies.

In order to get a more detailed picture of the socio-economic situation two villages with slightly differing profiles were chosen for comparison. The important differences between the 2 villages are their contrasting records in controlling the sale of their land, and the effectiveness of the traditional leadership. Other differences include the amount of outside development assistance received, and the schooling opportunities for the village children and the fact they represent different ethnic groups.
The author and an indigenous research assistant conducted 2 visits to both these villages. Approximately 4 days was spent in each of the villages conducting semi structured interviews with key informants, group discussions, village meetings, as

well as carrying out participatory research activities.The languages used during the research were Tampuan and Khmer. Both villages (Tuy and Leu Khun) are situated in Bokeo District in the middle of Ratanakiri Province, which has experienced a rapid conversion to cash cropping over the past 10 years. The fertile cheap land has attracted large numbers of migrants from other parts of Cambodia. The expansion of cash cropping, predominantly of cashew nuts and soy beans, has resulted in the deforestation of large areas of the District.

**2.1 Tuy Village and Tuy Tet (*Tampuan*) Village, Ting Chak Commune.**

Tuy village comprises 451 people (237 women)—101 families (4 Khmer, 1 Lao and the rest *Tampuan*). Out of these, 23 families have formed another Tet (*Tampuan*—small) village. There are also 22 new migrant Khmer families living 1km along road 78 from the main village in Tmey (Khmer—new) village. Tuy village is situated on the central basalt plateau, which indigenous farmers have long used for swidden agriculture due to its fertile soil, good yields and rapid fallow regrowth. The immediate impression of Tuy village is one of abundant land and forest resources. There is significant potential paddy land, red upland soil, good water supply near the village and forest with high quality timber trees and other products.

**2.2 Leu Khun (LK) Village, Ke Chong Commune.**

Leu Khun village is the centre of Ke Chong Commune. This commune consists of 4,000 people in 9 big villages of around 500–600 people each. Some villages are Tampuan and some are Jarai ethnicity. Leu Khun is a predominantly Jarai village with a population of 525, or 104 families. It is situated on the edge of this basalt plateau with lesser fertile black sandy soils. Originally the land area of the village was larger but now there are 3 other villages using this land—Doich, Sa Lev and Pa'or. In the early 1980s the former Leu Khun village chief invited these villages to relocate to Leu Khun village land, because these villages were constantly getting attacked by Khmer Rouge soldiers and a lot of people were getting killed. Leu Khun village is very organized with strong traditional leadership.

**2.3 "A Lot of Flowers but no Fruit"**

Like all indigenous villages in Ratanakiri, and especially those along main roads, Leu Khun and Tuy are going through a profound period of transition with the introduction of the market economy. From a situation only 10 years ago when neither village had problems with land sales and managed their land communally under the authority

of traditional elders, both communal land management systems and the role of the traditional elders is increasingly under threat.
After a presentation of the Cambodian MDGs a Leu Khun Village leader commented:

> With regard to poverty reduction there is a lot of talk and not much action—a lot of flowers but no fruit. This village gets little support from the outside. We see organisations giving a lot of assistance to neighbouring villages—irrigation systems, cow and pig banks, etc and we would like the same, but no-one comes here.
>
> In this village the growth of rice is not good and people do not have enough. Education is also difficult. The school is falling down but it is only 5 years old. Parents are afraid to send their children to school in case the termite ridden wood falls on their child. The small school is also packed and children can only learn for half a day and only up to level 3. There is no well in the school and 132 students don't have anywhere to get water and to wash their hands. This is very unhygienic. It is very important that some of us get an education, but it is very difficult to get past 4th or 5th grade and impossible to get to 9th –12th grade. We would like non formal education classes so people can learn reading and writing.
>
> We also see that it is difficult to get positions in the government and with development organisations. It seems that people don't really want to take Jarai people to work. They prefer to look for corrupt people. If people want to pay money they get the position. The education committee in Bokeo for example is all Khmer. People in Leu Khun want to be in front of others but it is very difficult without education and support. We want to be a model village and want to develop this village. As for gender, we need to select the person with the best capacity for the job and not just look at the person's gender. With regard to infant mortality, parents look after their children as best they can and then people come and blame them for letting their child die. When we go to the Health Centre they give us medicine that is out of date, so what can we do for our sick children. The 3 MDGs that deal with health (CMDG 4, 5, & 6.) can all be rolled into one priority for this village and that is a Commune Health post. Our three priorities are:
>
> Repair, and upgrade the school. Also build a junior high school to 9th grade, a health post, a rice bank.
>
> We also have other priorities but there is no point thinking about these until we see something being done about these 3 things. We have sent requests to the higher levels and organisations but these are usually not answered.
>
> Villagers look after their forest and land resources as best they can but it is very difficult to stop powerful people coming and logging and buying land. People accuse villagers of selling the land but this is like the monkey eating the rice and then wiping the mouth of the goat. It is not the land broker that is buying the land it is all the big people who are coming to buy land but small villagers get the blame for not standing up to these

> powerful people. The person buying all the land in neighbouring Sucreang village is a high ranking Government official. Other high ranking officials have come here and taken a lot of logs. The Government also has the stamp that is required to recognize these land sales, so they are also closely involved. People are very angry about this and there could be fighting and violence in the near future. As for the forest, why is the forest gone. The land has been cleared of all trees so tractors can plough the land for cash crops. People come and cut and transport trees in the night. Villagers are powerless to stop them. As for agriculture people would like to find things to grow for the market. We need help in developing processing and finding the right crops. As for preserving our culture we need land and forest for our culture. If we want to make our traditional baskets, tools and implement, we need bamboo to make a basket.

Tuy villagers also felt a lot of people are getting rich but the indigenous people are getting poorer. People are angry about powerful people taking their land. Some said the indigenous people are also afraid of the authorities because of the significant power they have always held over them. Fear makes them take money and not speak up about injustice. In the past however Tuy villagers said they had everything. There was plenty of land, forest, animals, other resources in the forest, water and everything they needed. Even people around 45 years old remembered clearly these times. The Government came and didn't allow us to wear our clothes and practice our culture, they said.

Some also questioned this new period of democracy where everyone gets the vote but then nothing happens. People said it would be better to go back to earlier (Sihanouk) times when there was less democracy but the government was active and people saw some benefits. People questioned whether the government was interested in indigenous people or not. Some said without development organisations here the indigenous people would be in trouble. As the Tuy and Leu Khun villagers described, they see the government's CMDGs targets as just words on paper. They had little expectation that these words would actually be translated into any concrete benefits for them on the ground, even if they felt many of the problems the MDGs are trying to address were relevant for their situation (food shortages, problems with getting an education and accessing health services, etc.). Villagers are angry about a lot of things, but they accept a status quo where the Government has limited presence in their lives and they expect little from it. People solve their own problems because it is their tradition and because they know if they go outside the village it will cost them money they don't have.

The impact of the Government on peoples' lives might change of course with the arrival of some big donors in the near future. However Tuy village has had a large amount of recent development input from the Royal Government of Cambodia's Seila

decentralisation programme (supported by the UNDP). Since 1998 this programme has assisted Tuy village with a school, a rice bank, non formal education teacher training and materials, traditional birth attendant training and equipment, agricultural training and equipment, cow, buffalo and pig banks, chickens and ducks, and a village land use plan. Despite this there is little reduction in food and income insecurity, or real improvements in education to show for it.

Some of the reasons for this limited impact include; programme changes within Seila, very limited Provincial Government capacity to implement development activities in indigenous villages, a yawning cultural divide between the Khmer dominated Government and local villagers, and the conflicts of interest of several government staff when addressing land issues in these villages. The reason indigenous peoples have lost trust and faith in government staff to address their concerns is because these have been the people who have been involved in taking their land and logging their forests. One lesson from these experiences in Tuy village is that there has to be land tenure security before other development can happen.

While disputes within and between villages are intensifying people said that in some ways things were also easier for them. People in Leu Khun said compared to 10 years ago livelihoods are now 40% better because of income from cashew nuts, and to a lesser extent from soybeans, etc. Many families (though not all) can now earn $600–$700 per hectare from cashew nuts. This allows an income at a time of the year when rice and other foods can be in short supply. This also allows people access to health services when absolutely necessary. Table 4 below gives an estimate of the income from cashew nuts for indigenous farmers in the province.

**Table 4: Estimated Ratanakiri Cashew Nut Production**
(Rat. Dept. of Agriculture)

| Year | Total area | Total approximate production | Price/kg | Provincial Income | Estimated income Indigenous farmers |
|---|---|---|---|---|---|
| 2005 | 21,000ha half5yrs old | 7,500 tonnes | 3000+riels (US 75c) | $8,943,750 | $6,250,000 |
| 2006 | | 8,000 tonnes | 2000riels (US 50c | | |

For those without other means of income or who have sold their land agricultural labouring on outsider owned cash cropping farms, despite the relatively low wages, has become an important part of the livelihood strategy. For some villages/villagers who have sold a lot of their land this has become their survival strategy.

## 2.4 Food and Income Security

A key goal of the Cambodian Government is to eradicate extreme poverty and hunger (CMDG 1). Food and income security for both of these villages is closely tied into how much they can maintain their productive resources and community solidarity. The productivity of swidden agriculture has declined over the past decade in Leu Khun village and the numbers of people who do not have enough rice to eat for the whole year has increased. Food security is also a problem in Tuy where only around 30% of families generally have enough rice for the year.

To compensate for a loss of both land and land fertility people are increasingly relying on cashew nuts. This is changing traditional farming systems in Ratanakiri as old swidden fields continue to be planted in this crop. Swidden rotation cycles are reducing, threatening the sustainability of upland rotational systems. In Leu Khun fallow periods are now 3 years. Livelihoods particularly for poorer community members have become more difficult. Apart from rice shortages people are also concerned with shortages of many kinds of food in the dry season, shortages of small wild animals and fish, the loss (due to illness and theft) of domestic animals, etc. At the same time there is also a break down of other community coping mechanisms. In 1999 Seila built a rice bank and supplied 13 tonnes of rice in Tuy village. The rice bank functioned from 1999–2003 under a community committee, with low interest repayments. Some families repaid but other families who borrowed a lot of rice didn't. Debts of 200 kgs and even 800 kgs of rice were run up and when people couldn't pay back it caused the collapse of the bank and disputes in the village. This bank was very important for people when they were short of rice or had problems. Now when people are short they have to borrow in the market and pay high interest. People would like to get the rice bank functioning again.

People in Leu Khun also complained about the high interest charged by the shop owners/rice mill operators when they lend rice. They said a loan of 1 bag of milled rice from the merchant requires a repayment of 10 bags of unmilled rice. Assuming a 50% milling rate for upland varieties (upland rice has more husk) this means an interest rate of 250% over 4–6 months. Other as well as high informal interest rates when borrowing rice and money from these merchants, villagers complained bitterly that when they sell things they have to use the outside traders' scales and when they buy things they also have to use their same scales. Villagers from both villages mentioned a lack of skills and confidence in market negotiations, resulting in blatant and severe exploitation by market savvy merchants.

Other difficulties villagers mentioned are an increase in theft of productive assets such as buffaloes. This caused 15 families in Tuy to abandon the lowland rice farm-

ing they were doing. This is combined with high rates of animal death and limited veterinary services. In Leu Khun the problem is more that buffaloes from 4 different villages roam over the village's farmland, especially in the dry season. In general therefore there is an increase in risk and vulnerability in village livelihood systems. Forest resources are in decline, there is an increasing dependence on one crop (cashews) with volatile prices, and increasing dependence on low paid agricultural labouring. Ten families in Tuy village have stopped planting a swidden field altogether. They work as labourers for daily (5,000–10,000 riels/day—$US1.25–$2.50) or piece rates, collect non timber forest products, etc. In some cases Tuy leaders said people have sold land just to buy food.

Villagers in Leu Khun explained the problems caused by this vulnerability. They said that neighbouring villagers who have sold a lot of their land are in a weak bargaining position and have to work for very cheap rates. Villagers said some of these people will go and work for 1 basket (15kg) of rice for 2–3 days work (approximate value $2.50–$3.00). However Leu Khun villagers said when outside cash cropping farmers come to their village looking for seasonal labourers they can choose whether they want to go and work or not as they still have their land and have other options. They said they bargain and are able to charge 10,000 riels ($US 2.50) or even up to 12,000 riels ($US 3) per day. People say it is not worth their while to go and work cheaply. The shape of the future in this area could be large numbers of indigenous landless labourers earning only enough to subsist on. A case from Kak Village (neighbouring Leu Khun) also illustrates the increased risks involved in cash crop farming and the limited options indigenous communities have when they need money. A villager borrowed money to pay workers the during soy bean season. When at the end of the season the borrower couldn't repay the loan, the lender took the borrower's child as a kind of indentured servant. The borrower then had to sell land to get their child back. Land is sold for ridiculous prices of 200,000–300,000 riels/ha (US $50–$75) Leu Khun villagers said. Distress land selling will be an ongoing problem in the foreseeable future until other forms of credit can be established.

With Cambodia's entry into the WTO, farmers will be exposed to increased international price competition for a range of crops. Ratanakiri's indigenous farmers' position as price takers does not bode well for the longer term if lessons from coffee production in Vietnam are any indication. Recently also Cambodia's only cashew nut processing factory in Kampong Cham closed. Competition with Vietnamese merchants and factories will be an ongoing problem in border areas such as Ratanakiri. Whether a poor indigenous farmer should emphasize food or income first is an important question and "food first" approaches are losing out to market production.

## 2.5 Education

The Cambodian Government hopes to achieve universal nine year basic education by 2015 (CMDG 2). People in both villages recognised the importance of education—to get work, to learn other skills, to know how to read and count to avoid getting cheated in the market, to learn their own language, etc. In Tuy Village however there are only 8 people who are literate. This puts people at an enormous handicap when dealing with the Khmer literate system.

Compared to 10 years ago things have definitely improved as neither village had a school. However in villages where only a handful could write at all, and where in Tuy village anyway the school was barely functioning, the idea of all children attending school even to the 6th grade in 10 more years seems incredible. Only one person in Tuy village had reached 6th grade and only a handful in Leu Khun. While the school in Leu Khun village is well attended with 132 students from 4 villages, only 20+ students come to Tuy village school. Many of the regular attendees in Tuy school are from the neighbouring Khmer community. Children in Tuy Tet village do not (due to distance) go to school at all. Low attendance is also a problem in villages neighbouring Leu Khun where villagers have recently been selling their land and have some (short term) income.

Comparing these villages, community support and ownership was seen as a major factor in improving village education. In Leu Khun the village school committee is working with the teachers to have the school repaired, extra classrooms and a junior high school ($7^{th}$–$9^{th}$ grade) built on land the village has set aside. In Tuy village however the village school committee hardly functions and relations are poor between it and the young teachers. Part of this lack of support in Tuy village is because the contract teacher elected by the villagers was removed and replaced by more qualified outside teachers. Villagers said when the village teacher was teaching there were 80 students and he worked full time. With the present teachers teaching hours have been intermittent and Tuy students felt preference is given to the Khmer students.

Another problem mentioned was the lack recognition of local languages and cultures in the classroom. Some students don't understand Khmer language very well, and the school curriculum is also biased towards the Khmer majority culture. Leu Khun villagers have requested CARE to extend the bi-lingual education they are supporting in neighbouring Pa'or village to their village. However one of the major reasons for students in both villages not being able to advance to higher grades was the lack of money to pay the extra costs. In Cambodia students are required to pay considerable extra informal expenses to progress through the education system, and pass exams. Leu Khun youth said richer families pay for extra tutoring for their children in Bokeo town. No one from the village is presently studying in Bokeo.

Achieving an education above 6th grade is economically beyond the reach of ordinary villagers and indigenous people are at a considerable disadvantage.

In Tuy village also a student over 12 begins labouring for cash cropping farmers and this is often seen as more necessary than sitting in a classroom, learning irrelevant information. The Khmer teacher in Tuy village commented that the villagers are generally hard working and there are many demands on children, with many of them requesting classes at night when they are freer. The teacher said the children also tell her if they go to school they won't have anything to eat and that if she wants them to learn she should give them money. With other employment options, poor prospects of progressing through school and the costs involved, many students and parents feel that schooling will do them little good.

Also despite the recent improvements in school building through the Seila programme there is a limited Government administrative capacity to deliver education in remote areas. There continues to be a lack of school infrastructure, with several communities still without a school. Of the 126 state schools in the Province, there are only 24 up to the 6$^{th}$ grade. In Leu Khun there is no room in the school to begin 4$^{th}$ grade classes. There are also no toilets or water at the school. The nearest well is over 200m away. Leu Khun villagers also suspect corruption is the cause of the poor quality wood that was used for their school building which is now getting eaten by termites.

Finding sufficient teachers is also a problem, especially teachers who can speak the local languages. In 2006 there were only around 5 Ratanakiri indigenous students in Teacher Training College in Stung Treng town. Overall in Ratanakiri in 2006 there were only 175 indigenous students in lower secondary school (7–8th grade), which represents around 1% of the total number of potential students. Also in addition to low salaries existing teachers often have to wait 3 months for their pay. When their pay does come it is sometimes only for one month (100,000–120,000—$US25–$30) not the 3 months they are owed. Villagers in Leu Khun said during Sihanouk times (1954–1970) a teacher was given food and a house. Both the teachers in Tuy and Leu Khun commented on their inadequate living conditions, difficulty in travelling to work.

A Leu Khun leader summarized the situation by saying there are 3 main things required for the school to function properly: first, the parents need to encourage their children to attend school; second, the school needs to be in good order; and third, the teachers need their salary every month, so they have enough to eat. The Asst. Chief said the government teachers' month is 93 days long. For indigenous students to see the benefit of going to school the teaching must be of a high standard, regular, relevant to their needs and in a language they understand. Otherwise as seen in Tuy village students vote with their feet.

### 2.6 Gender Equality

The Cambodian Government also plans to promote gender equity and empower women (CMDG 3). Women in these two villages considered it important that girls have the opportunity to attend school to learn how to read and write, to receive appropriate training and information in their own language, to have the opportunity to find employment, to have strong social support networks, to not have to get married too young, or suffer domestic violence. Girls generally get married from 15–18 years old, which some older women felt was too young. There was one case of a girl getting married at 11 in a neighbouring village. Girls are missing out on receiving even a basic education because parents often don't have the money to send them to school. Older village women in both villages said domestic violence does occur, but it is dealt with in the village and there have been no cases of the woman being badly injured. An older woman in Leu Khun said her priorities are rice to eat, money and land to plant, which perhaps summarises the situation for many.
In Tuy village there was one female assistant Commune Chief, and in Leu Khun one young women from Leu Khun was working for a health organisation in the Provincial town. Despite high participation rates of women in meetings in Tuy village, male elders said that it wasn't appropriate for women to share their traditional management role with them. A comment from a Leu Khun leader was that gender issues are something that urban people talk about, as in the countryside everyone, women and men, has to work hard.

Some women spoken to said that some things are easier for them than before. Motorbikes reduce the amount of time and effort (carrying heavy loads on their back) going to the market, rice mills ease the work of hand pounding rice, there are some water points in the village and some said their husbands do help them more to collect water, etc. A key gender issue is the lack of confidence indigenous women in remote communities feel when dealing with the market. This is partly because men have the task of dealing with outsiders and women are also heavily involved in subsistence and reproductive tasks. The vast majority of indigenous women are unable to read or even speak Khmer language very well. Leu Khun women said that no-one in their village has ever taken goods to sell in the Bokeo market. They said they are too shy and they have no experience in this. These women are especially vulnerable to being cheated.

It raises the questions of what will it take for village women who can't read, don't know weights and measures, can't read weighing scales and are afraid to go to the market, to benefit from policies intended to integrate them into the market economy. Cambodia's indigenous peoples are likely to be at the bottom of the market pecking order for the foreseeable future. A lack of people in rural areas in Cambodia with

good basic education is a major factor limiting the acquisition of enterprise and technical skills for livelihood diversification.

Land security is also another key gender issue, as a major consequence of land loss in indigenous villages is the loss of equal access to land which women have traditionally enjoyed. Links have been made between poor health and nutritional status in indigenous communities and the loss of customary land and forests, in particular the loss of women's access to land (ADB, 2001). In a neighbouring village to Leu Khun which has been selling a lot of its land a high ranking government official who has been buying this land recently married a young village girl. This could be an increasing trend as marrying into the village can allow outsiders to get control of some of the community's land and have a say in community decisions about their land and forest.

The Story of a Tuy village traditional birth attendant (TBA) perhaps illustrates some of the vulnerabilities indigenous women face. Too poor to buy a pay of shoes she was adamant she had sold no village land. This woman married a Khmer man who planted 2 ha of rubber trees in the 1960s. In 1995 (after her husband had died) another Khmer man took over the tapping of her trees. The TBA said that in 2005 the new Khmer owner came and asked the names of the people who planted the rubber in the village, and the TBA said he then used this list to say to the District that the people on the list had sold their rubber plots to him (28.5ha). The Khmer owner took all this rubber land including the TBA's 2 ha. She asked the new owner for 200,000 riels ($US50) for her rubber trees, but he only gave her 20,000 ($5). The TBA said this money was for giving information about who planted the rubber trees not as payment for them. The TBA continues to ask the new owner for payment for her rubber trees but he always says he has no money. The TBA maintains that the trees are hers until she is paid for them. She became worried when the new owner started to delineate the rubber plantation with concrete posts. Unconfirmed reports are that the rubber trees on the village land have now been sold for $200,000.

The TBA also recently lost 3 ha of her land when the village split in 2005 over internal disputes related to land selling and illegal logging. The new Tet (Small) village was established between the Old village and the TBA's land. Traditionally in indigenous villages it is forbidden to cross the field of another village to get to your own field. A transgression can result in illness or death of the owner or of someone in the village. The TBA had to abandon this land, which was then taken over by a neighbouring village. She said she has 2 other pieces of land left.

### 2.7 Health Issues & Reforms to Improve Service Delivery

As part of its health programme the Government aims to; reduce child mortality (CMDG 4), improve maternal health (CMDG 5) and combat HIV/AIDS, malaria

and other diseases (CMDG 6). Apart from land issues, the cost of accessing health services was a key concern in the two villages. Villagers felt there had been some improvement in infant mortality and in their health in general compared to 10 years ago. One reason they said was that there were some motorbikes in the villages to take sick people to a health centre and people had some money when medical assistance was really needed.

Infant mortality rates in Ratanakiri and Mondulkiri however are twice as high as the rest of Cambodia, which are triple those of Vietnam and the worst figures in Asia (FAO, 2003). Figures for child stunting (70%) are worse than for Cambodia as a whole (HU 2002a). Malaria, tuberculosis and diarrhoeal diseases are endemic. Vitamin A deficiency (2% of children and 6.8% of pregnant women have night blindness) is also high (HU, 2002b). Awareness of HIV/AIDS in the 2 villages was also limited and the potential for it to become endemic in these and other indigenous communities is high (NGO Forum 2006).

The problem for achieving the Government's MDG targets however is dealing with a largely dysfunctional public health system. The health and education sectors (along with agriculture and rural development) have been targeted as priority sectors for government spending. Health service delivery in the poorer performing provinces have been contracted out to health organisations as part of market oriented reforms instituted by donors, notably the Asian Development Bank. The concept is to encourage people to use the hospitals and health centres, and to improve the use, affordability and access of the health delivery service.

A system of health user charges has been instituted. For the poor who cannot pay the charges an equity fund has been established at the hospital. Equity funds however were quickly exhausted due to the unexpectedly high numbers of poor people in Ratanakiri. Incentives and salary supplements are paid to doctors and staff to encourage them to work full time in the hospital (instead of in their private clinics). NGO health workers talked to point out the problems in transplanting health delivery models that have been designed for more densely populated areas, to areas where distances are greater, access is difficult and where community based alternatives might be more culturally and geographically appropriate. There had been no attempt to adapt the standard blueprint national model to health delivery in Ratanakiri. For example on top of poor roads, limited awareness of the population, etc, District health centres in Ratanakiri lack the minimum package of equipment to function. Health staffs with 8 months medical training have to diagnose and treat diseases, and obtaining good medical treatment is problematic.

As well as this NGO health workers reported that government health funds (including salaries and reimbursements) are commonly delayed by more than 3 months, adding to the problem of low capacity, poor motivation and confidence,

and the misuse of funds. When indicators are not met penalties are imposed, which does not help to improve a health system that is problematic in the first place. The donor perspective however is that the contracting system is a definite improvement on the Government's past performance implementing the health system. Villagers however were clear that the earlier health systems they knew (and some received training from) during earlier socialist regimes were superior to what they have now. During the 1980s for example villagers said health workers spent time in the village, took health statistics and knew what problems there were. For the past 5–10 years villagers said the only time they have seen health workers in the village is when they come to vaccinate. Villagers said health workers get paid for vaccinating that is why they come.

People said now health staff wants to know whether the patient has the money to pay before they will treat him/her. People felt the role of the health staff is to heal people and they should do this and think about the money later. Villagers said health staffs in the centres work when the monitors come and as soon as they go the service is poor. In the past they said the system treated everyone, they didn't have a lot of resources but they tried.

Villagers said for them the health charges are prohibitive. They said the reason they go to the public health system is because they can't afford to go to a private clinic. Admission to Ban Lung referral hospital costs 20,000 riels ($5) per night, and villagers said this is like going to a private doctor. People complained that they do not have enough money to buy medicine and they can't read what is written on the bottles anyway. Ironically also some indigenous villagers have received some basic health training (either during the Khmer Rouge or the later Vietnamese backed State of Cambodia regimes). These people are often appointed as village health workers, but in contrast to earlier regimes they are given no equipment to work with. Their main task is to refer people to the health centres and hospital.

### 2.8 Land and Forest Issues

Also in line with national trends towns in these indigenous areas (Provincial and District) are expanding economically, and as seen in one of the villages of this study (Tuy) people from these towns are buying land and dispossessing the rural indigenous populations.

Ensuring environmental sustainability (CMDG 7) is a further key goal of the Cambodian Government. However the conventional poverty reduction/development paradigms represented by programmes such as the CMDGs are weak in really addressing the structural issues resulting in the ongoing takeover of powerless marginalised peoples land, by those with power and money. One of these structural

issues is lack of recognition and support for communal systems of land management which allow for equal access to land for all members of the community.

Now land distribution in Ratanakiri is increasingly unequal, with important consequences for other poverty reduction strategies. The Village Chief in Tuy estimated that half the village land area has been lost, with 500ha of village community land left (for a present population of 451 people). Tuy village has been losing its land to outside powerful people and more recently to opportunistic and illegal land buying and selling. Encouraged by outside interests, 4–5 community member brokers land sales. However the money they earn for the destruction they cause their communities is pitiful.

Leu Khun village has been strictly controlling land sales to outsiders and their future looks slightly more secure. However some villages neighbouring Leu Khun have sold great portions, and in some cases all of their land, and now some of these villages are trying to claim and sell Leu Khun and other villages' land. In 2007 Leu Khun has also lost land to an outside company in a dubious and secret land deal with an outside company. Villagers in Tuy say the abuse of power in a 1999 land deal is the cause of much of the subsequent land selling in the village. Commune and District Authorities (acting as land brokers) contacted Tuy village and asked if they would like to give their land for development. The promise of future employment was given. On 3 March 1999, officials visited the village to get the villagers to agree to this transaction. About 20 villagers tried to protest.

Officials who were present in these negotiations told the villagers that the plans for this land came from the higher levels and people don't have rights to disagree or argue with the upper levels. They said the sky is bigger than the land, the land is not bigger than the sky, meaning that those lower down have no rights to stop what those higher up wanted to do. Villagers were also told by a Land Titles Dept official that Junjiets (the Khmers words for ethnic hill tribe people) have no rights to be along the road because it is state land and this land is for development. He also said that Junjiet people don't know how to live along the road and plant orchards. He said that far away from the road is better for them. A District Police official said that he has the human right to manage the land, not the villagers, and the land was to be for development.

Villagers were also told that it was useless for them to resist and complain to higher levels as the officials/land brokers had *knong miek* (strong backs) meaning that the buyers were closely connected with the Government. They said that the upper part of the leg is above the lower part of the leg, meaning that the upper part of the leg can walk on the lower part as it likes, it cannot be the other way around.

Villagers were asked to agree to this deal by thumb printing and accepting a small amount of money. Villagers thought they were thumb printing to give their land for

their development. The actual price paid was $6,000 for 100 ha. Out of this the village received only 1,500,000 riels ($US 375). Some 20 families received 30,000 riels ($7.50) if they had an old field on this land. Those families who had not been using this land received 6,000 riels ($1.50) each. In some cases those that spoke up got more money, while those that were quiet didn't receive the full 30,000 riels for an old field. $70 was kept for the village. On the same day officials also drank 2 litres of rice wine with 5 village elders and gave each elder 10,000 riels ($2.50). They told the elders that it was forbidden to talk to the younger people about the selling of village land. They were told to say that the land had been given for development. The elders were frightened. It is tradition that agreements are sealed with the drinking of rice wine. The elders had drunk these officials' rice wine and were afraid to disobey their order.

Tuy villagers were using this land for subsistence rice farming and cashew nuts. A villager's 600 cashew trees were cleared by tractors. Because this villager spoke out he received 80,000 riels ($20), but received nothing for the cashew nuts trees, or the annual harvest of nuts he would have received. Other villagers' fields which had been prepared for planting rice were obliterated by tractors. The affected villagers couldn't plant any rice that year. Several other established jackfruit and mango trees that were growing in the old fields were also cut down. A rubber plantation has since been planted.

Several villages along the main road 78 and throughout the Province have had similar experiences. A neighbouring village to Leu Khun has sold many hundreds of hectares to a government official, where forest is now being cleared for planting rubber. Leu Khun villagers said in this neighbouring village there are now many new motor bikes bought from 3 large land sales in 2005 and 2006. Villagers in Leu Khun say that it will soon be coming to the time when people are out of rice and there will be many cheap motor bikes for sale in this village. Leu Khun people say that they have been able to buy motorbikes also but they have done it with their brains and ideas, through growing and selling things on their land.

Perhaps more than any other issue unless land selling can be controlled in Tuy village this may be the issue that will differentiate these 2 villages in 2015 and beyond. Also in local villagers' eyes as pointed out earlier by a Leu Khun leader the Government has no credibility when they talk about trying to control forest clearing and land buying. Both villages have stories of government officials being involved in many illegal land and forest activities. People are frustrated about the perceived injustice of powerful government officials and private interests buying and benefiting from sales of large areas of indigenous land. At the same time officials tell people not to sell land when it is them who are accepting money for this. This is causing a simmering resentment both within and between villages and between local villagers and outsiders.

Tuy villagers explained that before 2002 the price of land was around 50,000–100,000 riels/ha ($12.50–25). Land selling and buying escalated in 2002 with prices jumping to 200,000–300,000 riels/ha ($50–75) and in 2003–2004 to 400,000–800,000 riels/ha ($100–$200). Tuy villagers said in 2005 people from Ban Lung (Provincial town) were coming to buy land all the time. Prices jumped further to 800,000–1,200,000 riels/ha ($200–300). In 2006 the problem has reduced though not stopped because people said villagers start to understand about selling land and there is not much land to sell. Villagers say they still have land for upland rice, but some said the village children will not have any land when they grow up. Leu Khun village, for now anyway, is in solid agreement that they will not sell their land. Leu Khun villagers say they only have around 500–600ha of land and this is barely enough for the population. Leu Khun and some neighbouring villages (Dan, Pa'or, Sa Lev, Bolair) are an island of calm in a sea of land selling around them. Leu Khun see the disintegration of the communities on all sides of them and it is not hard for them to see that the future of these communities is bleak. It is not certain what will be the future impact of large numbers of landless indigenous peoples on villages which have managed to maintain their land base. Some in Tuy are genuinely trying to control land selling through developing a No Sales Agreement with assistance from a local indigenous peoples' network (the Highlanders Association). One leader said some people don't respect or believe this No Sales Agreement. The Tuy Village Chief said that most of the land sales have been conducted in secret. In some cases no-one in the village actually knows who sold some pieces of land. However they say District and Commune authorities often know the details, with the likelihood that they are secretly facilitating land sales in the village. The Chief said he is often forced to sign land sales documents and recognise them because the sale has already been completed in secret.

Secret land sales have led to several cases in the Province where 2 people have bought the same piece of land off 2 different buyers. Villagers in Tuy explained that buyers from Ban Lung don't dare buy land unless the land sale document is signed by the authorities. However Khmer people from the new village 1 km down the road buy land to plant soy beans with or without a signature from the Village Chief.

### 2.9 Government Actions

A major part of the problem is that there is at best only limited effort being made to sort out the anarchic state of land management and registration of ownership in the province. All layers of local authorities are benefiting from ongoing land sales. Disputes over ill-defined common village boundaries are common. Land brokers also exploit a general lack of understanding about land ownership laws. They tell

villagers incorrectly that the government will soon come and take the land and they are stupid not to sell their land. They also come and show people money and ask people if they want money or a motorbike, a car, a bicycle. The result in another neighbouring village to Leu Khun is that people now only have their village houses and a little bit of land around the village left.

Along with a lack of official land ownership documentation and prosecution of illegal activities, the process for indigenous communities to register their land communally (as outlined in the 2001 Land Law) still does not exist. Government action to develop land titling procedures for indigenous lands since 2002 has been slow. Efforts to legally recognise an indigenous community so they can hold a communal land title have also been progressing slowly in 2 pilot communal land titling villages. These processes are seen by some provincial and national leaders as crucial for indigenous communities to participate in their own and in national development and to recognise and maintain their cultural uniqueness and identity.

Part of the reason for the slow pace of indigenous land titling is a general official antagonism to the expressed wish of indigenous communities in Ratanakiri for communal land titles. Both villages said they want communal titles because with individual titles all their land would be lost (sold). Recently a draft policy outlining the indigenous land titling process has been produced by the Ministry of Land Management. The slow pace of indigenous land titling and a widespread disregard of the Land Law have now led to a situation which could be described as a land management systems failure in Ratanakiri. It will be some years before this situation will be brought under control. Some villagers have predicted that there would soon be fighting and violence over land, if the anarchic land situation in the province is not brought under control and if there are no other options to deal with increasing numbers of land conflicts.

### 2.10 Forest Issues

Control over the community's forest areas is also important to local indigenous communities' sustainable future to allow them to adapt to new circumstances and improve their lives. However the opposite is happening. Compared to 10 years ago Leu Khun has lost all its forest areas. Forests are being cleared in Tuy and many other villages by communities retreating from land buying pressure to new areas, and by outside farmers and investors clearing land for cash cropping, plantations and speculation. Tuy still does have areas of good forest and valuable trees. Whether they will be able to control logging in their village depends on what rights they are given to manage their forests. Tuy villagers have in the past defended their forests from outside encroachment using their village map (from a government land use planning

exercise) to report forest clearing infringements. Now however the people that were clearing have since been buying village land. Tuy is also regularly reporting cases of illegal logging and land clearing to the Commune and District. Elders want to fine the loggers and confiscate the wood but they have no power they said.
There is a sense that the authorities are exerting greater control over illegal logging, but whether this just means exerting greater control over villagers while the bigger fish get away remains to be seen. The Tuy Village Chief said that recently the District Governor came to the village with the Commune Chief and the District Police to say that people can no longer just cut trees as they wish and need to get permission before cutting trees for a house. People said that villagers are now afraid to cut trees but outsiders continue to do so. A Leu Khun villager said there is a lot of talk a letting the community protect and manage the forest, but in reality the community has no authority to manage anything.

Provincial Government officials explained that the Forest Administration (FA) and the Department of Land Management are now taking some cases of illegal logging and land clearing to court. The Ratanakiri Governor was removed because of his suspected role in logging in Virachey National Park (in the north of Ratanakiri Province) near the Laos and Vietnam. However another official said that despite this forest clearing is increasing. We have the knife (laws) but we haven't been able to use it, or the knife is blunt, he said.

## 3. Discussion

Discussions with community members in these two villages have shown that many of the priorities expressed in the MDGs do resonate with people, but these 2 communities have not been consulted when developing priorities or strategies for poverty reduction. This highlights a bias in the MDGs towards a top-down model of technocratic development. As governments strive to meet their MDG targets, standardized models of development may lead to poorly thought through and inappropriate programmes that will not be able to accommodate the special needs of groups who don't fit the model. Villagers' own priorities could largely be summarised as dealing with their own powerlessness. Commentators have pointed out that the MDGs fail to address these structural imbalances that are at the root of rural poverty, and do not question the underlying development paradigm, of the social, political and economic context in which they are to be implemented, the political economy of the MDGs (Corino 2005: 29). As a result inequalities are widening and conventional anti-poverty policies presently being implemented in Cambodia fail to tackle the social and economic exclusion facing these peoples. Policies and actions are required to both understand and deal with these marginalisation processes.

While there are some improvements, none of the Government services presently being provided in Ratanakiri could be called satisfactory for dealing with all the complex issues outlined in the MDGs. Apart from possibly achieving universal education for primary school (Grades 1–6, in one of the villages only), achieving the other MDGs will require more resources than are available at present. It will also require land and forest tenure security if communities are to have any chance of maintaining their livelihood base. Instead local indigenous groups are faced with the destruction of their resources, increasingly insecure livelihoods, as well as insufficient funds coming from the central government to allow for any concrete local actions.

Achieving the MDGs requires one step at a time but also long term coherent strategies that coordinate and mobilize all resources. At present the approach is fragmented. An important lesson from this study is that what has to come before delivery of the development hardware (or achievement of poverty reduction goals) is the solid social base onto which poverty reduction strategies can be laid. The basis of indigenous peoples' poverty reduction strategies is their culture, land and natural resources. Instead of looking at development targets it is necessary to first focus on the social organisation and governance required to make the delivery of the development assistance feasible and achievable in the first place.

This paper has shown that this village social fabric is already starting to fray and rip. In remote areas with indigenous peoples a range of community based options may be more effective in empowering local communities to deal with their development priorities in their own way. Local indigenous communities have long established processes to manage their affairs. These options are being neglected or missed because they cannot be easily measured. Leu Khun realises the need to maintain their culture and social organisations in their refusal to sell their land.

Nearly all indigenous communities are presently having to deal with a conflicting dynamic in their communities between personal and collective interest. Internal division in many communities is increasing. Indigenous social structures are dealing with the disputes and dispossession as best they can as long as they remain intact. The case of Tuy village is typical of many communities where a part of the village disagrees with activities such as land selling and logging and cannot get all the village to agree. Internal division in Tuy village over the loss of their land and other issues eventually led to the splitting of the village in 2005. With the splintering of traditional structures, important leaders are becoming marginalised and others are able to increase their influence through the quick and easy money they can make by selling the community's social capital—their land and forests.

The more traditional institutions and communities splinter the harder it will be for them to defend their interests and resources, and the more the government will need to take over the work that is presently being done by them. This includes; control

of petty and even serious crime, internal dispute resolution, counselling, moral and life skills education, ensuring welfare to the needy, elderly, hungry and infirm, etc. These hidden functions of traditional governance make a significant contribution to overall community welfare, with women playing a leading role.

A further key lesson from this study is that poverty prevention is much easier and more effective than poverty reduction. It is important to understand the consequences of increasing landlessness and the potential impacts of trade liberalisation in indigenous areas, while there are still time and intact communities to develop alternatives and mitigating measures. Lessons from other countries could usefully be drawn, in particular the social costs that have been incurred from bad policy and governance.

One Provincial government official commented that it is easy to go to a village and find something villagers need, because they are short of everything. He and other provincial officials argued that the basis of any poverty reduction strategy in these communities must be the central government providing communal land titles and clear rights to use forest and natural resources. The official said that with land and forest tenure security everything else can be solved easily one step at a time. Without this he said there will be no sustainability of development activities in the province.

For the moment the social disintegration from an absence of land security is able to be downplayed. However some in the provincial government recognise the looming social problems that will have to be dealt with (including the difficulty in implementing poverty reduction programmes) if local cultures and communities are not kept intact. On top of these local communities are expected to either pay for or contribute to the poor health and education services they receive and to school buildings that soon fall down. Corruption exacerbates the already poor quality of services at the provincial level and below (Beresford et. al., 2004), leading inevitably to a growing sense of powerlessness. Exploitation in trade and markets which are little understood adds to the latent anger.

Pimbert (2005) argues that local livelihood systems are ignored, neglected or actively undermined by the international development community, and alternatives often offered to poor farmers are migration to urban areas or finding new and better jobs. An example is the commonly suggested a need for a transformation from a primarily subsistence-oriented agriculture . . . to a more commercially-oriented more intensive agriculture (Beresford et. al., 2004: 52). The current emphasis on market-based approaches also ignores the huge potential of non monetary forms of economic activity—gifts, reciprocity, etc. in meeting human needs and achieving the MDGs (Pimbert, 2005). People in Leu Khun said that in the 1980s people were organized into groups and the chief of the group got people to do a communal rice field and a communal rice bank. Now people said there are no groups, only a village

chief. Leu Khun suggested establishing a community credit scheme as part of the rice bank they requested. Group marketing also needs to be looked at.

Policies that encourage local organizations to manage their food systems and their environment would be perhaps one of the few viable alternatives to the crisis of governance currently being experienced in Bokeo District and in most other indigenous areas in the country. These strategies could be summarised as:

- Build on local institutions and social organization.
- Build on local systems of knowledge and management.
- Build on locally available resources and technologies to meet fundamental human needs.
- Use process-oriented, flexible projects.
- Support local participation in planning, management and evaluation. Linear views of development and narrow assumptions about "progress" and "economic growth" must be replaced with a commitment to more plural definitions of human wellbeing, and diverse ways of relating with the environment. (Pimbert, 2005: 155)

The approach therefore implies a refocusing on community based options and self reliance, which is largely the opposite of what is being proposed and implemented at present. In education villagers have proposed bi-lingual, non formal and vocational training to assist people to learn new practical skills, developed by organisations working in Ratanakiri. Women in both villages said they would like to learn to read, count and learn basic business skills. As has been seen a key factor in ensuring good attendance and community support to the village school are active community management boards, which have a say in the selection of the teacher, etc. Indigenous women also need to be assisted to have a voice and a place in decisions which are being made about them, within and outside the village. A key issue for promoting the interests of indigenous women is the desegregation of indigenous women's issues in national statistics, so that the problems they face can be identified and addressed.

Culturally-appropriate community-based health options should be considered to overcome problems of distance, access and cultural barriers. Indigenous communities need to be given a stronger role in the design of the health service rather than them being simply a recipient and paying client. People need health information in their own language. The indigenous perspective needs to be much better understood if health messages are to have any impact. The discussion about health also needs to be integrated with self help prevention such as good nutrition. Also the villagers requested the truly poor should be exempted from paying user fees.

Community based options would also mean giving community traditional authorities more authority to control the large scale alienation of the community's

productive assets. A Tuy elder said people don't think about selling their land nor do they care when people come and cut trees in the forest, everyone is just thinking about getting money. Funds need to be allocated to provide technical and financial assistance to support securing land rights, delineating land, developing land management plans.

Ultimately not much can be done without the Government's active engagement with and encouragement of culturally appropriate village based development options. The ratifying of Cambodia's Indigenous Peoples Development Policy would give a clear statement of the Government's desire to promote a multi-cultural society. This could also lead to provincial and national consultation platforms for discussion between government and indigenous communities own representatives. Affirmative action policies enacted in indigenous areas to improve their participation in local government, would be another sign of support for indigenous peoples' own strategies to improve their lives. Also not much can be done without the rule of law. Existing legal provisions in Land and Forest Law need to be implemented to ensure land conflicts and illegal activities are dealt with and resolved. This includes the need to prosecute government officials who have acted against the law.

Poverty reduction and pro-poor trade strategies require an assessment of the causes of marginalisation and vulnerability faced by small farmers in remote provinces. At present instead of opportunities and benefits actually reaching these people, economic development is accelerating the depletion of natural resources resulting in fewer livelihood options and increased poverty amongst those already vulnerable. Cambodia's indigenous peoples need fair not free trade. To ensure these marginalization issues are dealt with and indigenous peoples have a say in this process strategies need to be developed to bridge a general clash of worldviews. These include: culture and language differences; the correct mix of monetized and non monetized development options, as well as supporting villagers to actually deal with the money economy; the concept of land as a resource and livelihood base for the development of the whole community verses the right of the individual to sell (the communities) land; the clash between urban concepts of progress and rural needs to ensure a secure and viable livelihood base; and finally the rights of the indigenous insider verse the rights of the outsider.

## 4. Conclusion

It is an understatement to say that the task of achieving the MDGs in Leu Khun and Tuy villages is daunting. This is not so much because of the villagers themselves but more to do with the lawless environment they live in. The story of both these villagers is the story of powerful people dominating their lives. In general these 2 villages are

typical of the situation of many remote indigenous groups throughout the country where people live in close association with local natural resources.

Indigenous areas are rich in nature and resources, but these resources are more often than not being plundered and wasted by local and national elites for their own gain. Any revenue earned almost never returns to the Cambodian state. In Bokeo District the flagrant abuse of national land and forest laws, and the dispossession that indigenous peoples are confronting could be described more accurately as a process of systemic non-governance, more akin to an uncontrolled abuse of power than anything resembling improved management and decentralised governance.

The centrepiece of the RGCs policy for the next 5 years (known as the Rectangular Strategy) is good governance. In many ways however the 2 communities studied (like many others) are trying to defend their rights, manage their affairs and make some progress toward achieving their goals, often in opposition to government officials in what could be called a governance vacuum. Perhaps what the villagers are saying is they are waiting for this good honest governance.

There are a myriad of reasons why indigenous communities are losing their land. However the loss of a livelihood base, ongoing insecurity and anger is not a good basis on which to build a programme for indigenous community development. For many small farmers keeping their land offers them options for both subsistence and production for income, without needing to hope for help from the outside. Ensuring livelihood security allows people to experiment with other livelihoods which up to now they have never known. Perhaps one of the few comparative advantages these villages have apart from their labour and their land is their ability to work together.

Perhaps a key message from this research when comparing these 2 villages is united : we stand divided we fall. It is too early yet to see the real consequences of landlessness, ongoing and unresolved land disputes and the fragmentation of communities. In Ratanakiri the introduction of the market will likely mean widening inequality, both within and between villages, and increased vulnerability of the weaker sections of society. This inequality seems to have been what market oriented reforms have produced in Cambodia as a whole and what the National Strategic Development Plan 2006–2010 is so adamantly trying to correct.

One consistent message about poverty reduction in Cambodia is that while returns may be easier and higher in other sectors of the economy, the only real way to reduce poverty on a large scale is by targeting support to thousands of small farmers to develop labour intensive agriculture and rural non farm employment. This would reduce the country's present over dependence on the garment industry, reduce poverty in areas where 90% of the poor are concentrated and allow small farmers to be the private sector engine of their own village's and the nation's development.

So while cross-border/international trade is potentially very important for the economic development of Ratanakiri and other border provinces, the experiences to date do not bode well for this trade benefiting indigenous communities. For trade to be truly pro-poor small farmers need to have safeguards against uncontrolled and unfair competition and somewhere they can take their complaints where they will be acted on.

The results of the research conducted in these indigenous communities are that they are not presently able to deal with rapidly increasing competition from outside their communities. Unless these communities are given the support to compete effectively with better-off, more educated, more influential members of society, then creating opportunities for growth will be of little benefit to them. These opportunities will be quickly appropriated by the better off. Perhaps the real test of any development strategy in the 2 villages studied as well as several others throughout the country is in what ways will development activities allow these communities to gain advantage over their competitors. At present it is not certain whether villagers are making progress (however slowly) toward the achievement of the MDGs targets or whether these targets, like shifting goal posts, are actually regressing away from them.

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## Chapter 4

# State Policy toward the Highlanders of Ratanakiri During the French Protectorate

**Mathieu Guérin**

For many international development agencies, NGOs and the Royal Government of Cambodia itself, Northeast Cambodia's Ratanakiri ("the Land of Jewels") is a priority for their development programmes. A century ago, the French and Cambodian administration took control over this land and its inhabitants, advancing a new policy to bring the authority of the state to this remote part of Cambodia and also to improve the livelihood of the people. This article aims at describing the policy implemented by the French colonial powers. In doing so, we will consider whether or not there is a link between the colonial policies of the past and current development policies toward indigenous peoples.

This question may seem outrageous as colonial policies were a way for western countries to assert their grip over other countries and peoples, often through violent means, while development policies aspire to support people in developing countries. However, we must keep in mind that colonial powers such as Britain or France already considered themselves defenders of human rights and human progress in the 19th century. The so-called civilising mission, or "the White Man's Burden" as Rudyard Kipling described it in verse, justified the process of colonization.

In the Northeast of Cambodia, we have the perfect example of an attempt to bring civilisation to "savages". It started with the installation of the Franco-Cambodian administration in Stung Treng that allowed the colonial power to design and implement a specific policy toward the highlanders.

### 1. The Integration of Stung Treng into the Kingdom of Cambodia

### 1.1 New Territories

It was only in December 1904, that Cambodia recovered the province of Stung Treng, which it had lost a century before with the Siamese expansion in the Indochinese Peninsula. Stung Treng had been claimed as a part of French Indochina in the Franco-Siamese negotiations of 1893, but the French side treated it as part of Laos. In 1904, in order to please the Khmer King, who had been hoping since 1867 for Siem Reap and Battambang provinces to be handed over to Cambodia, the Governor General of French Indochina (Paul Beau) linked Stung Treng to Cambodia by an order dated December 6th, 1904. The Northeast thus formed a more or less cohesive whole, with Stung Treng in close contact with Siempang district on the Sekong River and Lumphat district on the Srepok.

The new *Résidence*, as the administrative units were called, was divided into four provinces:

- Melou Prey.
- Tonle Repou.
- Stung Treng, with the town of the same name as the capital of the *Résidence*.
- Moulapoumok in the North-East, with the ethnically Lao village Veunsai as its administrative headquarters.

Located on the right side of the river, the first two mentioned were ceded by Siam in February 1904. Stung Treng and Moulapoumok were organized around the three big tributaries of the Mekong that converge upstream from the town of Stung Treng, namely: the Sekong, the Sesan, and the Srepok. This was a densely wooded area, extending some 18,000 square kilometres, delimited in the north by a mountain range reaching heights of 1,600 meters, with its eastern limit defined by the Tampuan plateau between the Sesan and Srepok rivers.

When Stung Treng and Moulapoumok were handed over to Cambodia, they were relatively prosperous. Agricultural production was largely sufficient to feed the population (in normal years) and considerably benefits were reaped from a few products made for export. The main source of income was the manufacture of boats and the capture of elephants for export by the ethnic Lao and local highlanders. The elephants were exported to Laos, Siam and to lumber camps in Burma. The boats were sold to the fishermen and merchants of the Mekong who sometimes came as far as from Cochin-China to buy them. Moreover, the highlanders cultivated commercial plants, such as China grass (*Boehmeria nivea*) and spices, sold on the markets of Veunsai and Stung Treng. There were also species of trees of precious wood and numerous forest products that the highlanders sold to the people in the

plains: hides, horns, lacquers, resins, rattans, etc., as well as a little gold sifted in the tributaries of the Sesan. The local Lao population were, more often than the Khmer themselves, the commercial intermediaries between producers and outside buyers (Guérin, 2001).

Moreover, in 1904, Khmer people represented only a minority of the inhabitants of Stung Treng and Moulapoumok provinces and they had no political influence. From the tax rolls, they can be estimated to be about 3,000 persons, gathered in some villages downstream of Siempang in the Sekong valley, along the lower Sesan, and in the southern area of the confluence of the Sesan and Srepok. The ethnic Lao were three times more numerous, supplanting the Khmer residents of these three river-valleys in the course of the 19th century. The tax rolls in 1905 counted 2,018 Khmer or Lao men aged 20 to 59 living in sixty-four villages in these two provinces. The most important village was the district town, Stung Treng, with 157 registered men (anc/rsc 25771). The administrators worked from the assumption that one registered man represented an average of six people. The total Khmer and Lao population would thus be extrapolated at a little more than 12,000 people.

It seems that the Khmer and Lao lived as relatively good neighbours. The possibility of mixed marriage reflected the closeness of their cultures and systems of social organization, although most of the hamlets remained ethnically homogeneous.

The native highlanders of the Stung Treng *Résidence* were primarily divided into Jarai, Tampuan, and Brao; the latter group is linked to both the Kavet and Kreung. All of these groups were designated by the pejorative word *Kha* which means slave/savage in Lao. They rarely lived in contact with Khmer or Lao and were settled in three main areas (See anc/rsc 1441 map, confirmed by the study of P. Bitard, 1952). There were Brao-Kavet people toward the north of the Siempang-Veunsai line. Other Brao and Kreung were settled in the valley of the Sesan, on both the right and left sides of the river, sharing the area with the Jarai who lived near Bokham. The latter Jarai villages had at first been considered dependencies of Annam by the French administration, but were joined to Moulapoumok province, and so to Cambodia, as according to their own request in 1908. Representatives of 22 Jarai villages, comprising 500 inhabitants, made a written petition to ask to stay in Cambodia under the administration of the Governor of Moulapoumok and the Lao mandarin Chau Tham Phuoy with whom they had ancient contacts (ans/rsc 1019, 25774). The Tampuan were gathered in the southeast, on the plateau that bears their name, in contact with Jarai groups in the East. On the basis of the tax rolls and the reports of the French and Cambodian administrators, one can estimate the total population of these native highland peoples at about 30,000 people (Guérin, 2003: 212–218), roughly two thirds of the inhabitants of the area. They represented the overwhelming majority of the inhabitants of Moulapoumok.

The administration of these territories by the Cambodian authority under the French Protectorate was far from simple. Apart from the fact that the administrators were far from Phnom Penh, the Khmer people represented less than 10% of the inhabitants. A specificity of this area was the importance of highlanders, ethnically distinct from the Khmers, among the population. In addition, very few French officers were posted in the new Stung Treng and Moulapoumok provinces. In 1915, there were still only fifteen French people in the *Résidence* of Stung Treng, including five civil servants and two officers of the Militia.

### 1.2 Installing an Administrative Apparatus in Stung Treng and Moulapoumok

The years 1905–1907 were years of trial and error. The Franco-Khmer authorities extended their research efforts to gain a better knowledge of their "new territories". The French representatives asked the inhabitants about their history, consulted the local chronicles kept in the temples made a census of the population, checked the tax rolls, and studied local agricultural systems in order to propose a political and administrative structure that would take into account the reality of local conditions.

Whereas the border between Cambodia and the old Lao kingdom of Bassac was fixed by order of the Governor General of Indochina on March 28th, 1905, it was only on August 26th of 1907 that a Royal Decree organized the new *Résidence* of Stung Treng. Stung Treng and Veunsai were among the sites then under consideration for the foundation of a new French regional authority. Stung Treng had been the administrative centre of the area for a long time, but the choice of Veunsai was a consequence of the research conducted in 1905–1906.

This Lao village was created in 1883 by a nephew of the king of Bassac, Chau Tham Phuoy. At the age of 38, he led his people to settle at the confluence of the Lalay and Sesan rivers, at the same time driving out the Brao people who had been living there. The name Moulapoumok that was later applied to this province as a whole originated as the name of a small village near Bassac on the Mekong. In 1905, there were seventy-nine people registered on Veunsai's fiscal roll; almost all of them were Lao (anc/rsc 25771). The French selected this village as preferable to Siempang, where the French already had a representative. Besides, the Khmer people were better settled in Siempang, and the size of its population was greater, with about one hundred registered men.

The choice of Veunsai may not seem entirely rational, but two elements help to explain it. First, Siempang was deemed to have been founded at the turn of the 18th and 19th centuries by two eponymous Khmer slave hunters: Ta Sen and

Ta Pang. Therefore, French administrators were suspicious of the inhabitants of Siempang, regarded as the descendants of slave hunters, or, potentially, as slave hunters themselves. Furthermore, within the newly defined administrative territory Siempang's situation appeared too peripheral to be able to control the highlander villages in the East; thus the French outpost was moved to the bank of the Sesan River at the end of 1905. Conversely, one notices that Veunsai itself stood apart from the Tampuan plateau, the most densely populated area. During the entire colonial period, no administrative settlement was made where most of the administered people lived. This aberration can be explained by the suspicion the Franco-Khmer authorities held for the Eastern population, whom they considered "wild". As a result, they situated the administrative centre in an area where they considered the people more "civilised".

One of the first tasks of the local administration was to build outposts, creating urban centres around Stung Treng and, to a lesser extent, Veunsai. Two governors' positions (*Chauvaysrok*) were created; one was in Stung Treng with the title *Oknha Montrei Cholthea*, and the other one in Veunsai with the title *Oknha Aranh Ruong Ruth*. The Governor of Stung Treng was assisted by three *balats*, or Deputy-Governors, in the major towns of Siempang and Lumphat.

At first, the Cambodian administration received help from the local officers, most of them Lao. In 1906, the founder of Veunsai, Chau Tham Phuoy, was called to be the Governor of Moulapoumok, a post from which he resigned quickly. In 1910, the Council of Ministers gave this province to him again and dismissed him the following year for abuse of authority. Nonetheless, he still was a key intermediary for all the matters with the Lao and highlander people.

> The Chau Tham Phoui, descendant of the kings of Bassac, has got, in the whole area of Moulapoumok and even further, a considerable influence particularly [over] the Tampuan, Brao and Jarai tribes; he is the only indigenous chief whose authority was never contested by these wild people (Letter from the *Résident* of Stung Treng. to the *Résident Supérieur* of Cambodia, November 8th 1909, anc/rsc 25601)

In order to reinforce the French influence in the area, the *Résident* of Stung Treng asked that one of the sons of Phuoy, named Thao Nou, be sent to the Colonial School in France and another one, named Poui, be given the title of *balat*. After Stung Treng was linked to Cambodia, the Chau Tham Phuoy returned these gestures of goodwill. In 1906, he bought a white elephant caught by highlanders and offered it to King Sisowath. In 1912 he participated in a subscription to help buy a plane, then in the open subscriptions supporting the government during the First World War.

### 1.3 Problems of Local Administration and Democracy

The Lao state officials barely could speak any Khmer and were not able to write the language. The running of the administration was quite difficult. All the texts, instructions, and reports had to be translated into Khmer or Lao, and then into French. Also, the French administrators appear to have been very suspicious of the Lao inhabitants, regarding them as "lead[ing] within the area a life of parasites taking advantage of the goodness of the Khmer people and of the ignorance of the *Kha* people" (Report of the administrator of Siempang, 1905, anc/rsc 15360).

The Council of Ministers sought to send in Khmer people to take charge as the Governors of the new provinces, as a solution to their problem of relying upon Lao notables running the administration. Their tasks were far from easy in this land where the people neither understood them nor were accustomed to Cambodian laws. In 1913, the Khmer Governor of Moulapoumok indicated that the highlanders did not always respect the rules "because all these savage races are ignorant and do not listen to whatever is ordered to them" (Report of the Governor of Moulapoumok, August 1913, anc/rsc 15937). The behaviour of the first Khmer Governors in the field had also been a matter of concern for the administration. In 1906, the first Khmer Governor of Stung Treng was found guilty of having raped a teenage girl, a friend of his fourteen-year-old daughter who had come to spend the night in his house (anc/rsc 1019). Four years later, the successor of Chau Tham in Moulapoumok was replaced for having pressured the inhabitants under his influence and for having bought elephants without paying. With the arrival of the Governor Kahom, reputed to be an honest and brilliant man, who was in charge from 1909 to 1912, the running of matters at Stung Treng became less chaotic.

In order to succeed in administering populations from various cultural backgrounds while encouraging their integration into the Khmer kingdom, the Stung Treng and Moulapoumok provinces were divided into *khum* (communes). In 1906–1907, all the men registered on the tax rolls were called for the election of the *Mekhum*, the commune chiefs. This was the first modern election ever organized by the state in this area. The candidates for the position of *Mekhum* introduced themselves and the elections took place by a show of hands, voting for a single member by a majority within one turn. The candidate who got the highest number of votes was deemed elected. Only half of the electors came to the *khum* centres for this vote. Participation was deemed more important at Stung Treng and in the neighboring villages; it rarely exceeded 40% in the more remote *khum*. The *Résident Supérieur* Morel, followed in this matter by his successor Luce, reiterates the importance given to these votes in a letter dating from 1905:

> I insist on the fact that the *Mesroks* [*Mekhum*] are indeed the elected representatives chosen by the inhabitants and I make efforts in order to develop as much as possible the village life within the country. Even at Stung Treng, the Résident considers that the population is in favor of the abolition of feudalism which dominated within the area; the principle of voting for chiefs of villages is already adopted and soon, instead of finding a chief of clients for each of the four authorities in each district, we will only have one single chief dependent on the Governor and the Résident (Report to the Governor General, January–February 1905, aom/ggi 64252).

Despite the fact that this vote was conducted by a show of hands, rather than by a secret ballot, the results of these votes do reveal that the electors had relative freedom of choice at that time. There were always several candidates, most of the time two or three. On average, an elected *Mekhum* would win with about 59% of the votes, that is to say with just a little more than the other candidates, precluding the thesis that these contests merely affirmed officially selected candidates. In 1912, when the elections of *Mekhum* in three *khum* of Moulapoumpok took place again, the results showed a much less free voting. Those who won did so with an average of more than 88% of the votes and did not always have competitors. Each *khum* could vote for its chief who then chose his assistants (*Chumtup*). The Cambodian Governors complained about the fact that the Lao and highlander *Mekhum* and *Chumtup* did not know the Khmer language, problem that entailed the creation of further posts for secretary-translators. In 1913, Moulapoumok had five illiterate highlander *Mekhum* who received help from Lao secretaries (Report of the administrator of Veunsai, January 1913, anc/rsc 15937).

The Royal Decree dated June 5th, 1908 re-organized these local elections. The vote would henceforth take place by secret ballot. All the voters, whatever their ethnic group, were eligible for the functions of local councillor. These local authorities were elected for terms of four years (Forest, 1980: 117–130). There was a shortage of literate Khmer people everywhere in the *Résidence* of Stung Treng. The situation was particularly critical in Moulapoumok where there were only nine Khmer people living at that time, seven of them men, a tiny minority of the 12,034 inhabitants counted by the census of 1911. There were already eleven posts for state agents at the provincial level and, therefore, the province could not count on having any Khmer *Mekhum* at all for Moulapoumok. At the local level, the provincial agents could also seek help from influential highlanders, were assigned more-or-less fictitious titles as dignitaries. For example, a Jarai named Deung from La Ya on the Sesan received the honorific title of *oknha*.

### 1.4 Local Khmerization

In spite of these difficulties, the Franco-Cambodian administration did not organize a programme to relocate significant numbers of Khmer people to these new provinces. The authorities advocated a smooth Khmerization of the local population through the institutions of the school and the temple. By contrast, Khmer colonization would have involved moving in part of the labor force from the plains, where it was already deemed insufficient, and would created ethnic tensions in the Highlands.

First at Stung-Treng then at Veunsai, Franco-Cambodian schools were rapidly created. The number of pupils at these schools in 1909 was about thirty children, all of them Lao or Khmer, whereas seventy-eight went to lessons in the temples. The main purpose of these schools was to teach youngsters to read and write the Khmer language so that they could later work for the administration. The education system continued to expand. In 1915, the French schools taught eleven pupils at Veunsai and fifty-five at Stung Treng. Meanwhile, two hundred and ninety-four boys went to learn at the twenty-four temples where classes were also taught in Lao. In 1915, a teacher sent from *Vat Ounalom* (a major temple in Phnom Penh) arrived at Stung Treng to teach the monks. Siempang and Lumphat waited until 1918 to get their own schools (anc/rsc 5425, 25701, 25703, 25713, 25711). The creation of these schools was a breeding ground for the administration to recruit literate staff to work at the provincial and local offices among the Lao and Khmer populations.

### 1.5 Improving Healthcare for the Highlanders

Parallel to this policy of "smooth Khmerization", the administration launched a campaign to gain the hearts of the villagers and to provide a minimum of healthcare for them. A salt store was created at Veunsai in order to improve the process of supplying salt at fair prices. Medical assistance was also developed. From 1907, the French doctor of Stung Treng organized rounds through the surrounding countryside. The authorities expected that the expansion of Western medicine would raise the esteem of the French:

> The doctor's rounds can have a happy influence in the villages in the north and south of Bokham. The success of some surgical operations and the cure of a number of sick people would probably bring more people to us from quite independent remote areas (Report of the *Résident* of Stung Treng, November 1911, anc/rsc 25619).

On each round, between several hundred and several thousand people were vaccinated against smallpox. However, World War One was responsible for a paucity

of medical staff starting in 1914. French Doctors were replaced by Vietnamese and sometimes Cambodian auxiliary doctors. The most serious cases were taken to the basically equipped hospital of Stung Treng.

During the 1920s, the health service at Stung Treng was composed of one auxiliary doctor and three or four nurses serving a population of about 50,000 people. The only hospital was at the urban centre of Stung Treng. In 1924, an infirmary was founded in Veunsai. In general, the highlanders received a nurse or doctor's visit once a year. When an epidemic appeared, a nurse or a doctor would be sent, but as one doctor wrote in 1923, "the *Kha* people let no foreigner penetrate their villages when there are epidemics and when these savages defend doing such-and-such, one has to sometimes obey" (Yearly report of the auxiliary doctor of the medical support unit of Stung Treng, 1923, anc/rsc 1814). In these conditions, the district's cholera epidemic of 1925–1926 brought about at least 148 deaths, in spite of more than 6,000 anti-cholera vaccinations. Although medical assistance was not very efficient, it was very active. In 1930, the doctor mentioned conducted 4,474 visits at Veunsai, 2,043 at Lumphat, 958 at Siempang, 918 at Stung Treng and 571 at Bokham. This shows that all the districts benefited from it, even the most remote.

In order to fight against malaria, twenty kilograms of quinine were distributed every year.

> Appreciated a lot by the Cambodian and Lao people, the quinine is, for the *Kha* people, the medicine classified at the third rank after the iodide of potassium and the chrysophanic acid. In fact, during the visit, when we see *Kha* people coming, we can be sure in advance that it is the iodide of potassium or the cream of chrysophanic acid that they will ask us for. (Yearly report of the auxiliary doctor of the medical support unit of Stung Treng, 1923, anc/rsc 1814)

The remark of this doctor shows that the native highlanders visited the doctor when medical assistance came to their area. They sought cures for skin diseases that were both terribly disturbing and very common at that time. These medical rounds maintained a link of trust between the administration and the inhabitants of the Highlands, even if the cure offered was superficial.

### 1.6 Developing Trade Through Chinese Merchants

In order to develop trade, the administration supported the settlement of Chinese people in the new provinces. In 1905, the chief of the post of Siempang deplored their absence at Veunsai—there was only one in Moulapoumok who settled at Bokham in 1897. The administrator contacted a Chinese merchant at Stung Treng and asked

him to open a branch on the Sesan. In 1910, six Chinese merchants owned a trading license in the province of Moulapoumok. The figure increased to twenty-three in 1918, including seven at Bokham. The census of 1911 indicates forty-six Chinese people at Moulapoumok, among whom there were only seven women and five children. In 1915, fully 125 were registered on the rolls of Stung Treng, and seventy-two on the rolls of Moulapoumok.

The Chinese primarily bartered with the highlanders for forest products and gold sifted in the tributaries of the Sesan River. The Chinese quickly became the usurers of the area, often proposing loans at high rates of interest. The judicial records show that they knew how to use the legal system to get paid back and the tax rolls show that some of them became very wealthy.

## 2. Colonial Discourse and Policy: The case of Stung Treng *Résidence*

The motto of the 3rd French Republic was *Liberté, Egalité, Fraternité*. Colonial domination was justified by France's grandeur, its so-called civilising mission and the economic development of the territories placed under French rule (Girardet, 1995). This scheme was applied in Stung Treng and Moulapoumok provinces with the support of a local Cambodian administration that had no other choice but to collaborate with the French officials.

### 2.1 Slavery and Law Enforcement

In 1904, the only laws applied were local, with the gradual implementation of a nationalized, Cambodian justice system following thereafter. The Governors of Veunsai and Strung Treng presided over provincial courts (*Salakhet*) judging cases between "nationals of Cambodia". They were defined according to the racial classification of the people as Lao, Khmer and *Kha*. The *Sala Outor* in Phnom Penh served as the higher court of appeal. The courts applied the Cambodian codes as reviewed by the protectors. Any dispute involving foreigners (Chinese, Burmese, Siamese, French, Vietnamese, etc.) would instead be referred to the court of France at Stung Treng, which had the exclusive power to judge them.

The highlanders rarely appear as complainants in the judicial records, indicating that they did not rely on the Franco-Cambodian judicial system to settle their disputes. However, it sometimes happened that they called upon the court when they were in conflict with Lao, Khmer, Vietnamese or Chinese people. There are eight files from such cases, essentially dealing with matters of debts or swindling, found in the records of the *Résidence* of Stung Treng dating from 1904 to 1913. One of these files, concerning Vietnamese hawkers and Jarai people, reads, "the villages

having done their submission to stay quiet as they promised, they did not undertake to do justice themselves, but they ask the administration to which they pay taxes to protect them." (Yearly report of the *Résident* of Stung Treng, 1909, anc/rsc 26268)

When the French took control over the Cambodian Highlands they tried to make sure the common law of the kingdom would apply there. They were especially concerned with enforcing the laws against slavery and the slave trade. Slavery and hunting for slaves were quite common in the Highlands until the end of the 19th century. The slave hunters, themselves variously Lao, Khmer or local highlanders, would attack villages to capture young men and women to be sold in the Mekong valley (Guérin, 2003: 31, 100–107, 142–146).

Under heavy pressure from the French, the Royal Decree of December 27th 1897, taken by King Norodom, forbade slavery and slave hunts, ordering all existing slaves to be freed. After Stung Treng was designated as Cambodian territory, police action was taken against those who refused to comply with the anti-slavery laws. In 1910, Brao people from Attapeu attacked the village of Taveng in the valley of the Sesan River. The *Résident* of Stung Treng wrote to his subordinate at Veunsai:

> I remind you that your efforts must focus on catching some of the guilty people who, after being judged, will be sentenced at Phnom Penh. As long as an example will not be shown, we will always fear the return of the criminals (Letter of the *Résident* of Stung Treng, 1910, anc/rsc 25700).

The following year, after a similar matter, ten Brao people from Attapeu were arrested. During the trial, it was mentioned that none of the accused people could speak Khmer or Lao. After the arrival of a translator from Siempang, the group of assailants, who had killed three people and captured twenty-seven men, women and children, explained that they did it as an act of revenge. Three of the arrested men were released without charge, and one of them succeeded in escaping; meanwhile, three of them had died of cholera while in custody at Stung Treng, and one of them was killed in the act of an attempted escape. Just two members of the group were sent to the public prosecutor to be judged at the criminal court of Phnom Penh.

The two assailants in question were Brao people from Laos and so were considered foreigners; thus, only the higher court could judge them. The court heard seven witnesses on the case, all inhabitants of the victims' village. The accused were judged guilty of aggravated theft, arson, premeditated voluntary manslaughter, attempted premeditated manslaughter, illegal arrest and false imprisonment. There were two sentences of hard labor for life, one of them *in absentia,* and a third sentence was handed down for twenty years of hard labor (anc/rsc 25663. Also see anc/rsc 25619).

The court had considered the case of only three of the men among a hundred accused assailants and the decision it rendered was an aberration according to the customary justice of the Highlands. The purpose was to show an example and to mark the superiority of the administration.

By way of comparison, a similar incident involving Brao and Jarai people at Moulapoumok during the same period concluded with the abduction of eleven people. The assailants, once apprehended, suggested that they set the prisoners free and give pots and gongs as compensation for the two deceased prisoners. For them, the principle of atonement was more important than revenge. If the atonement was accepted by the injured party, the matter was finished (anc/rsc 25600).

The French had gradually reduced the traffic of people in the Highlands, though they did not succeed in totally eradicating it. The border areas with Laos and Annam remained largely beyond their control. In general, the French administrators were too few and too distant to know what happened in the hinterland. They would never be aware of conflicts arising within any given village, even less could they know of incidents within any given family. They could intervene only when they were called in by one of the aggrieved parties, which was rare in disputes between highlanders. French or Cambodian intervention was looked for only when the main protagonists considered the problem too extensive for them to handle themselves. The administration was almost incapable of sentencing murderers, passing judgement concerning matters of witchcraft, or contrasting the veracity of differing accounts of acts of revenge. Abductions, ordeals and murders of wizards were still practised in the Highlands despite the efforts of the administration to strengthen their own control and put an end to them.

### 2.2 Taxation and its Unforeseen Consequences

The tax burden worsened for the inhabitants of Stung Treng and Moulapoumok when they officially rejoined Cambodia. Under the Lao system, capitation was two piasters for men aged 18–60 with a lower rate of one piaster for the *Kha* ethnic category; under the Cambodian system, this rose to 2.5 piasters for all men aged 21–50 and to 0.8 piasters for those aged 51–59. Likewise, the fee for exemption from the drudgery of forced labour (*corvée*) went from two to three piasters for each adult and one piaster for the elderly. An additional percentile tax on land applied to the *chamkar* and the *pontea*, and taxes on rice were also collected. One of the measures that brought about the most resistance was a fee imposed for the right to carry firearms which rose from one piaster to twenty-five piasters. Many Lao and native owners of old stone-carbines could not afford to pay such a sum, yet their weapons were requisite for defending themselves against tigers and thieves.

However, the natives of the Highlands lived an exceptional distance from the administrative headquarters, making it very difficult for the administration to collect all these taxes. Some villages even refused to pay the taxes. In Stung Treng, collections were particularly difficult during the first couple of years that followed the allocation of the province to Cambodia. Indeed, "every year during the month of January, the Council of the Ministers sends to Moulapoumok collectors of the taxes for rice and fishing" (Klein, 1911). These messengers of the king, the *achnha luong*, often had faulty tax rolls and had to face inhabitants who refused to pay amounts of money greater than what they had paid previously. They also did not understand the methods of calculation applied to them. For example, the new taxes on riverside lands and the taxes on rice were proportional to the value of the soil or to the harvest respectively. The *achnha luong* in charge of the collections had to explain these taxes to people who rarely spoke Khmer and who had never before been subject to this kind of collection. This took time and made the native taxpayers very suspicious and reluctant to pay. In 1910, the tax on rice in Moulapoumok still brought in only 500 piasters, rising to 1,400 the following year. The *Résident* of Stung Treng frequently asked for tax exemptions for the remote villages. The collections improved after several years thanks to the network of roads and to the ancient traditions of dealing with an outside power.

Some local administrators tried to convince their superiors in the hierarchy to lighten the collections; since the taxes and their collection was not the main concern of the French policy towards the highlanders, the administrators of the Protectorate were much more flexible with them than with the ethnic Khmer of the lowlands. Indeed in 1909, when several Jarai villages from Bokham refused to pay the tax, claiming that they had been threatened by Vietnamese raids, the *Résident* of Stung Treng ordered his representative not to insist further. When the same villagers threatened to join the "independents", to the great displeasure of the administrators, they were exempted. The orders from the Governor General of Indochina and the various officers holding the position of *Résident Supérieur* had always been to treat the highlanders with consideration. Almost all of the villagers who complained were satisfied; almost every year, exemptions were given and no expedition was ever organized to collect the amounts of tax left unpaid,

However, those who lived closer to the administrative centres of Stung Treng and Veunsai were under much more pressure. In effect the villages that were either distant enough or sufficiently likely to put up a fight (such as the villages near Bokham in Moulapoumok) were more-or-less allowed to pay the Treasury the amount they wanted to give, despite the schedule.

Even if the collection of taxes was hardly easy, or hardly carried out at all, the consequences of the new fiscal regime were dramatic. It interfered with the system of

exchange between farmers of swidden rice and those who practied wet paddy cultivation. The main effect of this system of exchange was to limit the risk of starvation (Guérin, 2001). For certain exchanges, cash was needed and barter did not work; the system relied on links of trade between the two groups of cultivators. Lao and Khmer people sold their rice for coins in periods of scarcity; the main supply of the highlanders' tangible currency came from the sale of boats and elephants. Rice, chili, cardamom and China grass also could provide some cash income. The economy of the Lao and Khmer people was increasingly oriented towards the outside world, and was more and more monetarized. When Stung Treng was incorporated into Cambodia, it had to be accommodated to the fiscal regime of the Protectorate. By increasing the rate of capitation and other forms of tax collection, the administration took away a large part of the cash that the highlanders had from their own networks of trade. In the 1910s, almost 30,000 piasters were asked of them every year, a considerable burden, even though not all of them paid and some of them paid in kind. Meanwhile, usury enriched a small number of wealthy Lao and Chinese people, to the detriment of the poorest of the highlanders, and the local Lao and Khmer populations.

When new taxes on the export of elephants were added to the schedule they tripled the price of an average sized female and the number purchased in Burma collapsed. Within a couple of years, the trade of elephants had sharply decreased. From 1910, this trade was in a state of crisis. People who caught elephants did not find any buyers in 1910, 1911 and 1912. Only the most beautiful of the animals, already-tamed males, could be sold.

In 1906–1907, the trade in boats had almost been stopped in establishing new forestry regulations. The *Résident* of Stung Treng informed his superiors in the hierarchy that "the outrageous amounts of money given to the forestry service decrease the boat trade within worrying proportions" (Report from the *Résident* of Stung Treng to the *Résident Supérieur*, 1912, anc/rsc 26268). At the same time, the economic stagnation in Cochin-China discouraged the boats' potential buyers.

Not only did the new fiscal regime sap an important part of the cash income that highlanders, Lao and Khmer people had to perform their own transactions, but it also decreased their resources of currency itself. The local economy had formerly produced a degree of surplus that could have endured the authorised levying of state taxes, but the requests of the Treasury ended up exceeding the capacity of the people paying the taxes. The representative of Veunsai warned his superiors in June 1913:

> There is not enough cash anywhere. Elephants and boats have not been sold for two years, the Lao people could not, like they usually do every year, lend the amount of money for the taxes of 1913 to most of the *Kha* (Report of the administrator of Veunsai, 1913, anc/rsc 15937).

The height of the crisis caused by the new fiscal policy was in 1912, coinciding with a disastrous harvest. The year 1912 was characterised by a very strong drought which desiccated the particularly vulnerable fields of swidden rice. In every village, between 30% and 90% of the harvest was lost. In the most populous areas of the Tampuan plateau, the villages only had enough rice for two or four months. The Lao and Khmer inhabitants still had some savings enabling them to buy imported rice. This was not the case for the swidden cultivators.

The price of a *picul* of rice (viz., 60 kg or 132 pounds) reached nine piasters on the market at Stung Treng, the equivalent of a common salary for one month's work. The poor were left waiting for the arrival of the early wet rice crop raised by the Lao people for the price to become more affordable. In the meantime, hundreds of highlanders either died because of starvation or left to find work in Laos. It is to be noted tax collectors' regular operations were not stopped during the famine of 1913. The collectors went to the villages to demand that people who were literally starving pay their taxes. However, they did not recover the money from people unable to pay.

### 2.3 Ramifications of the Economic Crisis

The fiscal policy of the Protectorate had thus led to the weakening of the economic balance in the Stung Treng area and aggravated the crisis of subsistence agriculture, primarily impoverishing the highlanders. In this way, the increasing tax burden drove several villages, mainly of Kavet people from Siempang, to leave Cambodia to settle down in the Lao provinces near Khong and Attapeu in 1906, 1909, and then 1912.

The crisis led to a degree of political unrest among the Jarai people. They fortified their villages, closed the roads off with stanchions and refused to perform their public service (*corvée*) or to pay their taxes. In numerous other villages, the humanitarian situation was a disaster, but no sign of revolt appeared.

In order to respond to the difficult economic and material situation without risking further discontent, the administrator of Veunsai suggested a considerable amendment of the fiscal regime for the *Kha* people of Stung Treng. This amendment was agreed upon by the *Résident Supérieur* and the Council of Ministers. It was implemented on a racial basis. The Royal Decree of June 23rd, 1913 defined the new obligations of the highlanders of Stung Treng and Moulapoumok. They were henceforth expected to submit to only fifteen days of service (*corvée*) to be performed near their own villages. The tax rolls were to be maintained by the elected *Mekhum*. The villagers appeared to be satisfied with the new fiscal rules; when the *Résident* of Stung Treng went to Moulapoumok the following year, he was warmly welcomed even among the Jarai villagers. Thus, for a short time, the new fiscal policy for Stung Treng succeeded in subduing discontent.

However, negative effects followed fast upon the Royal Decree of June 23rd, 1913. The richest inhabitants of the Highland villages often sent their debtors to perform their *corvée* services in their own stead, or otherwise paid someone to stand in for them. In this way, the poorest and the most deeply indebted could do one month of service or more, while the richt were *de facto* exempted from the fiscal burden. Besides, by this time the residential administration had started to collect the tax on the rice more systematically; the tax involved complicated calculations and gave the authorities the right to examine the harvests of the villagers. This was very unpopular. In March, 1915, a movement in open revolt emerged among the Jarai people from Bokham and expanded to the neighbouring Tampuan plateau. Villagers from eight of the *khum* refused to pay their fees and fortified their villages. They bought weapons and gunpowder from Lao and Siamese traders.

The Jarai people, encouraged by a Lao man named Son, urged their Tampuan and Brao neighbors to join their movement. In May, they threatened to kill the French administrator of Veunsai. After 1914, exchanges with Chinese traders had become infrequent and this slowing of commerce angered the Jarai people. The Chinese were the main lenders to the villagers and often lent them the money they needed to pay their taxes.

> The *Kha* territory has to deal with the effects of the events in Europe as the Chinese people significantly increased the price of the objects that they import and at the same time they offered less [in exchange] for the natural products of the country (Report of the *Résident* of Stung Treng, 1st three months of 1916, anc/rsc 14992).

Confronted with these new impulses toward revolt, the French feared they would soon have to face a new insurrectionary front in the highlands while they were already snowed under with the revolt of the Mnong in Kratie (Guérin, 2003). No armed action against the rebels was considered in Stung Treng. On the order of the *Résident Supérieur*, the *Résident* of Stung Treng instead organized a group in charge of examining the grievances of the inhabitants.

This group was composed of:

- The Governor of Tonle Repou, named Hua, who had previous experience in Moulapoumok.
- The French administrator of Veunsai.
- Chau Tham Phuoy, the founder of Veunsai, because of the authority he had in the area (discussed above, §1.2).

Due to suspicions circulating at the time, no agents from the Cambodian administration working in the area were included in the group entrusted with the inquiry.

The task of convening hearings and conducting investigations occupied several months. The highlanders' representatives asked for a single tax of four piasters per registered person and the replacement of several agents at Moulapoumok, one of whom was the Governor himself. The group listened to the inhabitants' grievances. Suggestions were given to the Council of Ministers through Cambodian channels and to the French *Résidence Supérieure* by the French administrators. This double dialogue (between the administration and the highlanders and on the one hand, and between the Cambodian administration and the French administration on the other) enabled the Council of Ministers to quickly adopt salient decisions.

It was finally decided that people both registered and classified as *Kha* could either serve their 15 days of compulsory labour or buy their way out of service for a fee of 4.5 piasters. They were exempted from the previous taxes on cultivation and rice. At the political level, some mandarins of Moulapoumok were dismissed and replaced by members of the most influential family of the area, that of the Chau Tham Phuoy.

After the recommendations of the working group were put into effect, the *Résident Supérieur* wrote to the Governor General that "the Kha tribes went immediately quiet, which was the main purpose of our administration" (Report from the *Résident Supérieur* to the Governor General, June 28th 1916, aom/ggi 19175). As of July, 1915, the highlanders had resumed coming down to the market of Veunsai to sell their agricultural surplus and to barter with the Chinese and Lao merchants. In January, 1916, the *Résident* went to the troubled area where he organized a big party featuring a buffalo sacrifice to re-establish links of friendship. In December, the very dynamic Cambodian Governor of Stung Treng went around the area of Lumphat, which had been involved in the revolt. Sixty-one disputes between highlanders were given to him for judgement. Twenty-seven of the cases were solved by immediate reconciliations during the hearing. The Governor judged a matter of witchcraft deciding on the banishment of the suspected woman, on matters of adultery, of dis-respect for local taboos, etc. (report of rounds from the Governor of Stung Treng to the *Résident* of Stung Treng, December 1916, anc/rsc 25651). This showed a return to confidence in the public authorities.

The propensity of the Jarai to resist in order to be exempted from taxation and their sporadic uprisings exasperated both the French and Cambodian authorities. Their exceptional fiscal arrangements in particular were not appreciated by the Cambodian agents who saw that, at the same time, the fiscal pressure on Cambodian subjects was increasing (Forest, 1980). The unequal fiscal arrangements for swidden cultivators from the Highlands and the lowland Khmer could not be explained by simple economic facts: a poor Khmer farmer had a life no better than a poor Tampuan, Brao or Jarai farmer. The Governor of Stung Treng denounced this preferential treatment in 1915:

> The trade of this area such as the catching of wild elephants, the trade in China grass, hides, horns, boats, planks, baskets, and rattan mats is quite important. Each of these Kha people owns 1 or 2 elephants [...] I can see that they do not lead such a difficult life. Just like they have got to wear the cloth according to their custom. (Translation of the monthly report of the Governor of Stung Treng ril 1915, anc/rsc 2562)

Chau Tham Phuoy said he was ready to use force in order to push the Jarai people to perform their required drudgery (*corvée* labour). Meanwhile, the *Résident Supérieur* tried to temper the ardor of his assistants:

> The Protectorate could only delay, carefully handle the Kha chiefs still appearing as submitted to its authority, appear as being in their favor and trust them and postpone until later such radical measures which will be imperative in order to submit the Kha people to the common laws of the kingdom (Report from the *Résident* Supérieur to the Governor General, June 28th 1916, aom/ggi 19175)

In fact, during French rule, this never happened.

After a new wave of agitation among the Jarai of Bokham in 1919, Chau Tham Phuoy lost his position as Governor and his family was gradually forced out of the leadership of the province of Moulapoumok. The last of his sons to hold an official position, Thao Pheung, was forced to resign in 1930.

Administrative authority over the Jarai people of Bokham was then given to an influential member of their own community: a Jarai man named Ky. By the Royal Decree of May 21st, 1930, he was granted the title Khun Aranh Rithy. As of the following year, the *Résident* of Stung Treng requested the appointment of a Khmer or Lao *Balat* at Bokham, saying that "the running of this *khand* cannot be left in the hands of a wizard" (Letter from the *Résident* of Stung Treng to the *Résident Supérieur*, December 16th 1931, anc/rsc 17928).

The First World War and the Mnong revolt in Kratie forced the colonial administration to imagine and work out a mode of government acceptable to the locals, without recourse to the simple use of force against the highlanders of Stung Treng. This is amply demonstrated in the proceedings of the 1915 "conflict management" task force: the grievances of the inhabitants were listened to and addressed. Between 1904 (the year of the integration of Stung Treng into the Kingdom of Cambodia) and the Second World War, no military campaign of any kind was initiated in Stung Treng or Moulapoumok. The chosen course of negotiation caused the administration to lose some tax revenue but it also allowed peace in the Highlands. This was not the case in Kratie where force was preferred to negotiation. There, the administration lost control of the plateau for more than twenty years.

## 2.4 Fighting Swidden Cultivation

The French colonial policy toward the natives of Stung Treng and Moulapoumok was not limited to implementing the law and collecting taxes. Within the framework of their civilising mission, the French tried to change local customs that they considered backward, such as ritual ordeals and swidden cultivation. Most of the French administrators criticized "slash-and-burn" agriculture (*viz.*, swidden) for destroying the forest and as somehow responsible for the so-called nomadic way of life of the native people and finally for not providing enough harvest to feed the farmers.

These arguments, based on facile observations and not on serious agronomical studies, were false (Conklin, 1954; Guérin, 2001; Dove 1985; Salemink, 2003: 32–33). The yields of the "slash-and-burn" fields were sometimes superior to those of wet paddy fields. If one compares the results of wet paddy and swidden rice-plots in Stung Treng and Moulapoumok between 1905 and 1919, one observes that six times within fourteen years the Lao and Khmer people (who relied upon wet paddy cultivation of lowland rice) had to survive on the surplus rice supplied by the highlanders, produced by swidden cultivation. In those fourteen years, the opposite happened only once (in 1913).

As a statistical fact, contrary to generally accepted ideas, the harvests of swidden rice maintained the balance of food sources in Stung Treng and Moulapoumok. Swidden typically gave yields superior to the wet paddy cultivation in the specific context of the soil, climate, vegetation, and population distribution of this area at that time. Moreover, swidden cultivation enabled a larger variety of plants to grow. These included vegetables, crops used in textile production, plants used in dyeing, and commercial plants, such as chilli, in addition to the rice itself.

The administrators considered swidden farmers nomadic as they could see them relocating their villages from time to time, as part of the cycle of leaving fields fallow. However the administration did not recognise that, allowing for exceptions, these moves took place within a static village territory. Finally, the long fallow period enabled the forest to regenerate and the slashed-and-burnt fields rarely penetrated into the deep forest, beyond the village territory (Bourdier, 2006; Matras, 1983; Fox, 2002). This technique of swidden agriculture was well adapted to a specific environment with a specific population. During the colonial period, natural and demographic conditions allowed higher yields while still preserving the forest in the highlands of Stung Treng.

The findings of the few agronomical studies of the time did not change the statements of the leaders who wanted to "modernize" local agriculture. They thought that stopping slash-and-burn agriculture and developing other modes of cultivation would improve the lives of the inhabitants and protect the forests.

The French authorities took harsh measures against what they considered a danger to Cambodian forests. Numerous regulations were promulgated in order to prevent slash-and-burn agriculture in Cambodia and Indochina. The Decree of the President of the Republic dated January 9th, 1895, punished farmers practising slash-and-burn agriculture with six months in prison and assigned a fine to their villages of 25 to 100 piasters (Thomas, 1999:37–39). This was fortified by the Royal Decree dated June 10th, 1899, and the Governor General's Order, dated October 17th, 1905. The Directorate of Agriculture, Forests and Trade began its own campaign to forbid swidden agriculture in 1902. This department depended directly on the General Government and was dedicated to protecting the stock of quality wood in Indochina. This strategy was self-evidently absurd as it would have prevented farmers from cultivating rice and so from feeding themselves.

The Royal Decree of January 24th, 1908 asked for the registration of rice-farmers' fields. Among other initiatives, it declared that anybody cultivating a field for a period of three years became its owner, whereas any field left fallow for five years shall revert to the ownership of the Kingdom. These regulations separated swidden cultivators their own land; they rarely stayed longer than two or three years on the same field and left the soil rest between ten and twenty years. This would effectively end their property rights.

In November, 1913, a new regulation was applied in Cambodia, calling for the protection of trees used for the production of resins. The same act also prohibited swidden cultivation, which was still in fact tolerated in the northeast of Cambodia (Thomas, 1999: 97). The *Résident* of Stung Treng wrote in 1918 to the *Résident Supérieur* that "the *Kha* people are the ones who use this practice. They have already received instructions saying that they should not make new slashed-and-burnt fields and they should use the previous places for the cultivation of rice." (Note of the *Résident* of Stung Treng about Siempang, 1918, anc/rsc 25702).

Finally, the Royal Decree of October 17th, 1921 introduced a land tax that demanded money for the land whether it was cultivated or not. This was partly justified by the fight against slash-and-burn agriculture but the administrative authority did not seem to be able to apply it. Coercive measures against slash-and-burn agriculture had little impact in areas difficult to control.

Therefore, in the 1930s, the French administration opted for education with the creation of a specific school in Veunsai:

*It is with the institution of the post and of the public education that it will be possible to bring over a long period of time some civilisation to some people still savage like the* Kha *or* Kouy *people who use the barbarian practices of the fire*

*in forests for the cultivation of rice* (Report from the *Résident* of Stung Treng, 2nd three-month 1918, anc/rsc 14992)

In 1938, a boarding school opened for the Brao and Jarai people. It was composed of wooden buildings with classrooms and boarding. The boarders wore khaki uniforms. The discipline was strict even though physical punishments were not allowed. The children received French lessons for a period of three years as well as practical training. The lessons were given both in French and in the mother-tongue. The French teaching was presented as "a remarkable success".

The objective of changing local agricultural practices was integrated into the curriculum at the Veunsai school. The order of the *Résident Supérieur* dated May 19th, 1938 declared under article 15:

> The practical teaching given at school will be composed of the education of pupils as cultivators and breeders and, if the circumstances enable it, as carpenters and blacksmiths. It is about putting the pupils in the state to improve the future conditions of life in the *Kha* villages. . . It is necessary to teach them: - the habit of cultivating rice without using disastrous slash-and-burn practices and of getting from the soil varieties of production much more numerous than the ones that the *Kha* people know. (Order of the *Résident Supérieur* dated May 19th 1938, Bulletin administratif du Cambodge, 1938, pp. 997–1003)

Over those three years, children received daily lessons in gardening, wet-paddy cultivation of rice and breeding. This way, between regulation and education, everything was done in order to lead the farmers to change their practices.

In order to replace the slash-and-burn agriculture, the French administration advised the development of the wet paddy-field method, as the latter was incorrectly presumed to be more productive than slash-and-burn agriculture. The local authorities had many difficulties in making local people accept this. The Cambodian Governor of Stung Treng wrote in 1915:

> The farmers [here] do not know how to plow the land like the farmers of the South. I advised them to follow the example of their friends in the South. They said they cannot do it. (Translation of the three-month report of the Governor of Stung Treng, May 1915, anc/rsc 25621)

The French administrators were surprised by the reluctance of the natives to change their practices. The Brao and Jarai youngsters from the school of Veunsai showed little interest in paddy-field labour, despite their success in other classes. The

French did not understand that they were trying to teach an agricultural technique that was actually less productive than swidden agriculture in the environment where the highlanders lived. In 1919, fifteen years after Stung Treng formally rejoined Cambodia, only five Brao people owned a paddy-field in the commune of Veunsai.

The French also tried to develop commercial crops. As early as 1906, they created a testing field for rubber trees at Stung Treng and then distributed seedlings several times to the locals. In March of 1909, the Council of *Résidence* of Stung Treng adopted "a wish tending to extend the cultivation of coffee among the *Kha* people in the area of Lomphat"; the following year some 10,000 nuts of *robusta* coffee were distributed with the advice on how to plant them. There were also some attempts to try cultivating groundnuts and soybeans; some administrators of Veunsai and Stung Treng tried to promote tobacco as a commercial cultivation, though it already existed in slash-and-burn fields. The results of these programmes were very poor: The imported plants were never really cultivated by the local populations and the productions of tobacco for export stagnated. When the French Army found itself in need of castor oil plants in order to manufacture lubricants during the First World War, urgent efforts to promote its cultivation commenced in Stung Treng. At the end of the war, only twenty hectares had been planted.

The successive *Résidents* of Stung Treng did not stop complaining about the reluctance of the highland farmers to adopt agricultural techniques that the French officials believed to be more productive. The swidden cultivators of Stung Treng and Moulapoumok did not change their agricultural techniques because, contrary to what the French and Khmer leaders thought, it was not in their best interest to do so.

### 3. From Colonial Policy to Development Discourses

The French with the support of the Cambodian administration successfully integrated the new provinces into the Kingdom. They used methods that were based on serious studies of the new territories, the employment of local elites and the gradual Khmerization of the administration. It avoided shaking up the normal course of life in the villages while enabling the incorporation of these lands and their populations into the Cambodian Kingdom. French and Cambodian authorities could then implement specific policies toward the native highlanders, whom they viewed as "savages" in need of civilisation and help.

This is how and why they fought slavery and provided basic medical support in these remote areas. They introduced modern methods of electing representatives to the villagers, thinking that they were improving community management, even though community decision-making already existed long before they came. Their

major failure was the attempt to impose new and higher taxes, exacerbating the famine of 1913. However, because they lacked the means needed to implement their policy by force, the French found themselves negotiating with the highlanders and eventually granted them a less onerous fiscal status.

Colonial domination is based on force and Stung Treng and Moulapoumok provinces were no exception. However, because of the policy pursued, the "colonial pact" (Frémeaux, 2002) worked quite well in these provinces. The French feared that the Mnong uprising that took place in Kratie Province between 1912 and 1935 would extend to Stung Treng and Moulapoumok. By maintaining continuous dialogue with the local communities through very influential intermediaries, they managed to avoid it. Until the end of World War Two, no revolt against the colonial power took place in Stung Treng and Moulapoumok. It was only with the beginning of Vietnamese war for independence that Vietminh troops and Khmer Issarak infiltrated Stung Treng and Moulapoumok provinces.

After the start of World War Two and especially after the French were defeated by Thailand in 1941, the enfeebled French administration could no longer assert its domination over the Highlands of Stung Treng and Moulapoumok. At the end of the war, the French could not reinstall themselves in the Highlands because they had lost almost all control over the countryside after the start of the Vietnamese war of Independence. A map dated 1952 depicts "Provinces of Cambodia indicating the unsafe zones patrolled by the Vietminh and the Issarak", showing the whole of Stung Treng and Moulapoumok as unsafe from the French perspective, except for the Mekong valley. Only after independence was the Cambodian State in a position to implement social programmes in the Highlands of Stung Treng and the former Moulapoumok province.

In 1959, six years after Cambodia gained Independence, Prince Norodom Sihanouk established the province of Ratanakiri. It included the territory of former Moulapoumok province and Lumphat, formerly the most eastern district of Stung Treng province. The Cambodian Government offered a place within the Cambodian Nation to the Highland peoples but it also maintained a development discourse toward the highlands and their inhabitants that was directly influenced by the French colonial discourse.

The policy of the new Cambodian government remained one of civilising the savages, providing economic growth by supplanting fallow land with "modern" agriculture, such as the rubber plantation established at Labansiek, and "protecting the nation" through the military occupation of the border area (Guérin, Hardy, Nguyen Van, Tan Boon Hwee, 2003). These policies led to resentment among the natives that helped the Khmer rouge to control this area as early as 1970 (Colm, 1998).

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The sources used in this paper are primarily reports and letters from the French and Cambodian administrations kept at the National Archives of Cambodia, in the *Résidence supérieure du Cambodge* collection (cited by rsc/anc file number).

http://www.camnet.com.kh/archives.cambodia

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# Chapter 5

# The Khmer Rouge's Legacy for Highland Culture and Religion in Northeastern Cambodia

**Sara Colm**

Be humble; draw experience from the masses; be linked with the stance of the masses; and be close to the masses (Khmer Rouge slogan, 1975)

Isn't preserving village culture and your ancient customs a better way of serving national integrity than all your speeches? If you destroy these structures of peasant society, if you impose a new rational model, don't you risk humiliating them even more than your enemies do?...The peasant to whom you and your leaders constantly refer, comrade, has no connection with the events on the front pages of international newspapers; he is the hero whom no one could care less about in a war that has nothing to do with him.

Questions posed to Khmer Rouge cadre Duch by François Bizot during Bizot's captivity by the Khmer Rouge in 1971

The Khmer Rouge sought out villagers with the strongest spiritual beliefs to join the revolution first, to get rid of the beliefs. There was a ban on slaughtering cows or buffalos for spirit offerings. The propaganda was that we had to do whatever was necessary to liberate people and abolish classes. When we liberate, we must not believe in tradition or spirit offerings, which were not practical. We gave up practices such as using medicinal herbs and wearing jewelry like elephant tusk earrings. We were practicing democracy. We were dressed in black sarongs, black shirts, black trousers—all in black—in order to competitively build our economy and our society. In the beginning we would be poor. In the long run we would progress: we would have enough to eat and enough to save.

A Brao man from Ratanakiri, interviewed in 1999

## 1. Introduction

Prior to taking control over Cambodia in 1975, Khmer Rouge leaders Pol Pot, Ieng Sary and Son Sen spent much of the 1960s in the forests of northeastern Cambodia, where they sought refuge from Prince Sihanouk's anti-leftist crackdowns. The Khmer Rouge were able to build their first base of popular support for the revolution among the indigenous highlanders of Ratanakiri, Mondolkiri, Stung Treng and Kratie provinces.

The rebels recruited core members from among the indigenous people, who then spread the word about the Khmer Rouge and their political platform: one that promised to create a classless society in which minority people would be equal to the ethnic Khmer majority, which would not abuse and exploit the highlanders as the central government had done, and which would lead the country as a whole to develop economically.

The Khmer Rouge found a receptive audience among the highlanders. The minority people were alienated and angry about the central government's development policies at that time, which promoted assimilation of the highlanders into mainstream Khmer culture and their relocation from remote forests in the mountains to more accessible and controllable population centres near rivers and roads. In the late 1960s, incidents of social unrest broke out in the northeast as the highland minorities protested excessive taxation, land confiscation for rubber plantation development, an influx of lowland Khmer settlers, and abuses by the local police and military. Harsh suppression of the disturbances by government forces, who looted and destroyed villages, caused many highlanders to flee to the forests, where they joined the Khmer Rouge rebels.

General Lon Nol, who ousted Sihanouk in a *coup d'état* in March 1970, never gained a foothold in Cambodia's four northeastern provinces. At the urging of US military advisers, Lon Nol withdrew all Cambodian government forces from the northeast in June 1970, conceding almost one-quarter of the country's land area to the Khmer Rouge at the very beginning of the civil war (Tran, 1978:227). Possession of this large swathe of land as an early liberated zone was key to the Khmer Rouge's ultimate victory in 1975. The rebel group gained substantial territory in which to recruit and train a military force and increase their support base among the population. That base grew as the US bombing campaign in northeastern Cambodia (1969–1973) forced the highlanders out of their villages and into the forests, where they lived with the Khmer Rouge.

Pol Pot idealized the untarnished nature of highland society, perceiving the indigenous people as unfamiliar with capitalism or corruption and practicing communism in its purest form. Adding to the highlanders' stature was the fact that they

underwent the rigorous early days of "the struggle" (*tasu*) and the US air war together with the Khmer Rouge prior to the rebel group taking power in 1975. After 1975 the Khmer Rouge classified the highlanders as "base people" (*neak moulethan*) or "full rights people" (*neak penh sith*), a status that granted them some measure of trust and generally less punitive treatment than people living in towns and other areas controlled by Lon Nol, who were largely classified as "new people" (*neak tmey*) and forcibly evacuated to work in the countryside in April 1975 (Dy, 2007).

Despite being under Khmer Rouge rule more than twice as long as most of the rest of Cambodia, the highland minorities—who include the Kreung, Brao, Kavet, Tampuan, Kachok, Jarai, and Bunong ethnic groups—suffered proportionately fewer deaths and generally were treated less harshly by the Khmer Rouge than ethnic Khmers living in other parts of Cambodia (Colm, 1996). The estimated number of deaths from all causes in the Khmer Rouge's Northeast Zone (Ratanakiri, Mondolkiri, Stung Treng and Kratie provinces) from 1975–79 is relatively low compared to other areas: about 7 percent of the population died, in contrast to 70 percent of the population in the Northwest Zone (Colm, 1996).

The difference in the Khmer Rouge's treatment of highland groups in the Northeast Zone, compared to populations in other parts of Democratic Kampuchea, is reflected in the fact that highland leaders from every ethnic group were promoted into the Khmer Rouge leadership up to the level of district secretary and regional Party committee member; there were no large-scale population transfers in the zone other than in Mondolkiri; and the death toll does not approach the toll in any other zone. What was dealt a harsh blow, however, was indigenous culture, traditional livelihood practices, and customary belief systems.

It must be emphasized however, that this "less harsh treatment" in the northeast is a relative assessment. Large numbers of people clearly suffered and died under the Khmer Rouge in the four northeastern provinces—which saw at least 13,000 deaths (Colm, 1996)—and because the region was liberated five years before most of the rest of Cambodia, many people suffered twice as long as in other parts of the country.

This chapter examines the dissonance between Khmer Rouge official rhetoric about their camaraderie with the highlanders and their lack of respect for the highlanders' traditional society in the forest. The Khmer Rouge agenda for political, social and economic development in the northeast, which promised to improve conditions in an idealized primitive society by making it classless, failed in part because it neither incorporated nor respected traditional indigenous belief systems. The Khmer Rouge tried to convert the highlanders into paddy rice farmers alienated from their customary beliefs and livelihood systems, where obedience to *Angkar* ("organization," referring to the Khmer Rouge leadership) was to replace respect for the pantheon of spirits who had traditionally determined the well-being of the community.

Despite their early involvement with the Khmer Rouge, the highlanders became disillusioned and disgruntled with the rebel movement, particularly after 1973 when the Khmer Rouge began to more strictly ban traditional religious practices, implement full-scale cooperatization, and punish or execute villagers thought not to be loyal to the revolution. The highlanders' unhappiness with the regime is evident in the fact that in one of the largest acts of resistance to the Khmer Rouge, close to 5,000 highlanders fled from Ratanakiri to Laos and Vietnam in early 1975, before the Communists officially took power in Phnom Penh (Colm, 1996).

This chapter is based on research conducted by the author for the Documentation centre of Cambodia. Field work included semi-structured interviews with more than 100 highlanders by the author between 1995 and 2007 in Ratanakiri, Mondolkiri, Stung Treng and Kratie provinces. Interviews by Sorya Sim, Huy Vannak, and Tieng Sopheak from the Documentation centre of Cambodia and by Ian Baird were also used. The author's interviews were conducted in Khmer or in local languages, with translators assisting. Also consulted were original Khmer Rouge documents from their central security apparatus—the *Santebal* (special branch) and S-21 (Tuol Sleng) prison in Phnom Penh—which includes Central Committee meeting minutes, internal telegrams, party platforms, execution logs, and forced confessions by party cadres imprisoned at S-21 prison. While using information gleaned from forced confessions elicited by torture is obviously problematic, the latter sources can also provide useful insights into the internal workings and policies of the Khmer Rouge.

## 2. Revolutionary Ideals

Pol Pot saw the highlanders as trustworthy, loyal supporters of *Angkar*. He not only used them as his personal bodyguards and couriers throughout his career, but promoted them into the leadership of the Khmer Rouge in the Northeast Zone. Ieng Sary, who was deputy secretary of the Northeast Zone for the Khmer Rouge from 1966–1970, said that the highlanders "may be naked, but they have never been colonized" and that they were "faithful to the revolution, not commercially oriented, and . . . had class hatred" (Chandler, 1991: 174; Kiernan, 1985: 274).

The traditional lifestyle of the highlanders appeared well suited to communal living, with Pol Pot referring to them as "*padewat-nah*" and "samuhapheap-nah," or "very revolutionary" and "communal" (Phat, 1978). Pol Pot talked often about the solidarity of the Communist Party of Kampuchea (CPK) with their "fraternal, ethnic brothers and sisters" (*samaki bang pa'on chun chiet*) (Thuon, 1977). In a 1978 statement, Pol Pot described the highlanders as "completely illiterate people who did not have even the slightest idea of cities, automobiles and parliament [but

who] dared to fight under the guidance of the Party" (Quinn, 1989: 236). In another instance he said the highlanders were "like beasts under an extremely cruel regime of exploitation . . . [they] had known only humiliations and contempt" (Pol Pot, 1978, cited in Becker, 1986: 123). In a 1965 CPK platform, Pol Pot asserted that the highland minority groups demonstrated an "anti-imperialist and anti-feudalist orientation". The revolution should pay special attention to the "national questions," he stated, adding that the highlanders should be recruited to form a revolutionary force on the basis of "mutual equality" (CPK, 1965).

The Khmer Rouge recognised not only the value of building a base among the indigenous highlanders, but the strategic importance of the northeast zone from a geo-political perspective. Aside from being home to a supportive population, it had ample natural resources and secure places for clandestine military training camps and the party's headquarters. As a border region, the northeast was easily accessible to their Vietnamese Communist allies during the 1960s, when the Khmer Rouge were still collaborating with them. Khmer Rouge leader Koy Thuon explained why the region was considered a logical place to base the revolution:

> The geography of the Northeast Zone is the big foundation; the big asset for us. It has a lot of land—comprising nearly one-fourth of the country—and there are mountains, flood plains, and water flowing everywhere. [From there] we can make war for ten to twenty years. The economy in the northeast is also plentiful. The land is fertile and can grow rice and we can make farms everywhere. Fish and meat are also plentiful enough. We can feed hundreds of thousands of people . . . So the northeast is a very crucial zone within Cambodia for conducting our long struggle. In fact, when some of the comrades go there they may meet some difficulties [living in the forest], but those difficulties are just temporary (Thuon, 1977).

### 3. Social Unrest of the 1960s

When the Khmer Rouge first arrived in the northeast in the 1960s they were able to exploit the highland minorities' growing resentment of the central government, drawing them into the movement and urging them to resist. In 1966 and again in 1968, Brao, Kreung and Tampuan villagers in Ratanakiri clashed with local authorities over land encroached upon by an 8,000-hectare state rubber plantation (Matras-Troubetzkoy, 1983). In another incident in 1968, several hundred Kreung launched a demonstration in Ratanakiri after soldiers burned down several houses in their village in O'Chum district. Additional government soldiers were dispatched to the village and fired into the crowd, "slaughtering twenty or thirty like pigs," a Kreung villager reported (Author's interview, Ratanakiri, 1995).

In eastern Ratanakiri, Jarai villagers reported that "forest troops" exhorted the highlanders in the late 1960s to protest government repression and appropriation of livestock. "The government would send special commandos to find the leader of the Khmer Rouge in a village," said a Jarai from O'Yadao district. "They would surround the village, and if they did not find Khmer Rouge they'd confiscate the villagers' chickens or pigs." (Author's interview, Ratanakiri, 1996). In Veunsai district, the Khmer Rouge organized the people to demonstrate against local authorities taking taxes on boats, fish and livestock. In many places the Khmer Rouge assembled villagers to make punji sticks—sharpened bamboo spikes—and place them along the main roads to block, thwart, and injure government troops.

Similar unrest took place in Mondolkiri, where government troops stepped outside their bounds in searching for rebels. "General Lon Nol sent soldiers to crack down on the insurgency," said a Khmer who was sent to Mondolkiri in 1968 as a volunteer Khmer-language teacher. "The soldiers did tremendous damage to the indigenous people when they'd go into the villages, plundering and raping. The police did the same when they collected taxes. Later the government sent teachers in—officially to teach Khmer, but really it was a Khmerization effort." (Author's interview, Phnom Penh, 1995). Government crackdowns on the disturbances backfired, causing even more villagers to join the Khmer Rouge in the forest. "The people were very afraid and ran into the jungle, joining the 'forest soldiers' who encouraged us to make cross-bows, traps and punji sticks to defend the village," a Kreung villager said (Author's interview, Ratanakiri, 1995).

**4. Building the Peoples War**

Initially, many highlanders willingly joined the Khmer Rouge, wooed by propaganda campaigns that by so doing they would be working for a classless society, where all ethnicities would be treated fairly and society as a whole would prosper. In many cases, entire villages joined the Khmer Rouge at the same time. "Pol Pot was together with the people here; he traveled here and educated the people to struggle against America," explained a Kachok man whose village in Andong Meas district of Ratanakiri joined in 1968. "We were all joining together to be at the same level in society, regardless of what ethnic group we belonged to." (Author's interview, Ratanakiri, 1997)

A Jarai from O'Yadao, Ratanakiri, who joined in 1964 described the affinity between the rebels and the highlanders:

> People were very interested in Pol Pot ideology in the beginning. During the Sihanouk regime the civil servants and military worked separately from the people and only came

> if there was a problem. But the Khmer Rouge worked closely with the people—even if people had less food under the Khmer Rouge, the people were interested in them. We knew the Khmer Rouge wanted to build a strong society and would change leaders if they did wrong. (Author's interview, Ratanakiri, 1996)

Some highlanders were recruited into the movement by their school teachers, who were often Khmer from the lowlands posted in minority areas, as described by a Tampuan villager from O'Chum district, Ratanakiri:

> The Khmer Rouge had infiltrated the teachers, who told us our country needed communism to develop and become prosperous, to overcome the royalists. I went with the Angkar because at that time in my village there was no salt, no food to eat. The Angkar had food, and taught us how to serve our country. (Author's interview, Ratanakiri, 1995)

In Stung Treng, Kavet villagers said everyone they knew joined the Khmer Rouge in the 1960s. "They told us about the struggle of the poor against the rich," a Kavet man from Siem Pang district said. "They said they would win the war and occupy the whole country. We believed in them." (Author's interview, Stung Treng, 1995).

Similar support for the Khmer Rouge movement in Mondolkiri grew after 1970. "When the provincial town was liberated we had a larger force," said an ethnic Lao man from Mondolkiri. "The mood then was very positive about the struggle to liberate the nation from the imperialist oppression." (Author's interview, Stung Treng, 1995). Highlanders who met Pol Pot in the 1960s, such as a Brao man who attended a month-long training Pol Pot conducted in Andong Meas in 1967, continued to have strong memories of him long after.

> Our impressions of Pol Pot then were very good. . . .The people loved him. He would live and die with the people. He acted very properly. No one dreamed that things would go the way they did. Pol Pot really liked the ethnic minorities—he said we were the best. All his rice and food came from us. He said that he had to depend on the ethnic minorities but the majority of the people, the lowland Cambodians, also must have good solidarity with us and needed to try to unite with us. (Author's interview, 1996)

In some cases there clearly was an element of coercion and fear in enlisting the "popular support" of highland groups. A Tampuan from Lumphat district of Ratanakiri put it bluntly:

> Like, not like [the Khmer Rouge]—that's irrelevant. We were afraid they would kill us. It's complicated. They led us away, didn't provide enough to eat. We'd see one or two

> people killed for saying the wrong thing, or who opposed them. You see a person killed, then you don't dare to say anything. You keep quiet and follow orders. We could not avoid joining them because the majority had joined them already. The rest, even if they didn't like them, had to follow. If one or two of us didn't follow, what were we to do? How were we to survive on our own if the rest of the village went with them? (Author's interview, Ratanakiri, 1996)

## 5. Consolidating Power

The impact of the Khmer Rouge on traditional highland customs, livelihood practices, and belief systems was a gradual one. For generations, highlanders' respect for numerous spirits (*arak*) resident in nature and in the village has been intertwined with traditional livelihood systems of farming upland swidden plots, hunting, fishing, and gathering forest products. Until 1973 highlanders in many areas were able to continue their religious practices, which centre around appeasement of the spirits (*saen arak*) in order to ward against crop failure, disease and other calamities. Rituals include sacrifices of chickens, pigs or buffalo, accompanied by ceremonial rice wine drinking and gong playing (White, 1996: 334; Baird et all, 1996; Colm, 2000). Village elders, healers, mediators, and spirit mediums play an important role in the villages, mediating disputes, communicating with spirits and officiating over ceremonies and sacrifices (Backstrom et al., 2006: 21).

The end of the US bombing of Cambodia in August 1973 meant that the Khmer Rouge could start to more strictly enforce policies as people returned to their villages. They consolidated their power under the leadership of the *Angkar*, as described by a Tampuan who served as a Khmer Rouge military commander in Bokeo district of Ratanakiri:

> After the bombing ended in 1973, the Khmer Rouge started to organize the structure from top to bottom. When they went into the villages to build the cooperatives they destroyed the ethnic minority traditions. . . . Whoever opposed them was killed; they charged that they were the arms and legs of Vietnam or the CIA. Prior to this time they had been building their movement, gathering forces to fight. When they had strengthened their control they began to suppress the people. (Author's interview, Phnom Penh, 1997)

Starting in 1973, the Khmer Rouge began to more widely institute mutual aid teams (*krum prawah day*) to farm paddy rice. By 1974–75 small cooperatives (*sahakar diep*) had been set up at the village level, followed in 1975 and 1976 by consolidation of villages into large, full-scale cooperatives (*sahakar kpueh*). Life became more difficult with the development of the cooperatives—not only in the northeast, but

throughout Cambodia. A work regime had people toiling in the fields from early morning until evening, sometimes continuing to work in the evening after dinner. All private property was confiscated, leaving individuals with a spoon and a bowl and perhaps a change of clothes. Communal eating was also enforced: "When the hour came they hit a gong and we'd all come in like pigs coming to eat," recalled a Kreung who was sent in 1976 from O Chum district to a large cooperative in Kon Mum district of Ratanakiri (Author's interview, 1996). After 1975, there was much less to eat: each person was given sixty-two grams of rice per day or even less, compared to 250 grams during the *prawah day* period of 1973–75, and approximately 700 grams before the war (Colm, 1996; Martin, 1994: 174).

Each cooperative was roughly the size of a former sub-district, or 1,000 people, divided into *kongs* (work units) of thirty people. Mobile work brigades (*kong chalat*), composed mostly of younger, able-bodied single people, moved around the countryside to take on more strenuous tasks as needed such as clearing forests, building dams, cutting bamboo, breaking rocks, and providing extra labor in rice cultivation.

While some informants said they initially welcomed the cooperatives, that sentiment soon changed. "When they first started the cooperatives some were happy," said a Kachok from Andong Meas. "Others did not like the cooperatives but were afraid to talk. There was rice here but they didn't allow us to eat it. People didn't like joining together." (Author's interview, Ratanakiri, 1996). Informants generally did not know if rice was being hoarded or sent to other locations in Cambodia or exported. One Kachok informant, however, from Andong Meas district of Ratanakiri near the Vietnamese border, said that locally-produced rice was being sent elsewhere. "We had rice but they sent it to the army and used it to trade for other materials such as mosquito nets, spoons and blankets," he said (Author's interview, Ratanakiri, 1996).

**6. Bans on Spiritual Practices**

In 1973 the Khmer Rouge began to more strictly discourage traditional religious practices such as ceremonies for the spirits, on the grounds that it was wasteful to drink wine or sacrifice animals; plus villagers' time was better spent working. Villagers recount how they were forced to cut down large trees in spirit forests and spirit mountains—sacred areas customarily treated with extreme caution and respect in order not to anger the spirits—in order to make paddy fields or military camps. "Since our grandparents' time we have kept a healthy distance from the spirit forests—at least one kilometre away," said a Kreung man from O'Chum district of Ratanakiri. "It was different during the Pol Pot time though, when we were sometimes forced to go to the sacred areas." (Author's interview, Ratanakiri, 1999). In another example, an elder from Kameng village in Ratanakiri said that when the Khmer

Rouge forced thousands of people to clear the forest in a flat area near a stream, the spirits became angry and retaliated. "When some of the people got home they had blood coming out of their noses and mouths," he said (Author's interview, Ratanakiri, 1999). In 1974, Khmer Rouge soldiers forced a group of Kavet villagers in Siem Pang district of Stung Treng to climb a sacred mountain to defend the border. One of the Kavet participants described what happened:

> It got dark in the middle of the day. The Khmer Rouge did not believe in the miracles there, and wanted to test the belief, so they went with Kavet elders. When it got dark the elders burned candles and incense and prayed. Then the light came back but they advised the Khmer Rouge not to speak Khmer. Even us Kavets were afraid, and had to be careful how we spoke. (Author's interview, Siem Pang, 1996)

The highlanders were forced by the Khmer Rouge to violate other customary taboos as well, hunting forbidden wildlife and gathering or clearing taboo forest vegetables. Kreung villagers from Svay village said:

> During the Pol Pot time we were forced to clear water taro [believed to cause illness]. Even though we were afraid, we had to do it. We got sick but couldn't protest. They would just say we were sick only in our feelings (chu set die arom) and that actually we just didn't want to work. (Author's interview, Ratanakiri, 1999)

Religious ceremonies were banned completely after 1975. Ceremonial items such as gongs and wine jars were confiscated, and prohibitions were placed on sacrificing water buffalo or other animals for religious ceremonies. "They took our gongs away to make ammunition in Phnom Penh, and confiscated our buffalo as well," said a Jarai who was assigned to work as a tractor driver in O'Chum district, Ratanakiri. "People weren't happy about that, but we were afraid so we gave them up. If we protested, they would educate us, telling us, for example that they needed our buffalo for agriculture. We also could not drink wine [for ceremonial purposes]. If someone wanted to, they had to do so secretly." (Author's interview, Ratanakiri, 1999)

Villagers became increasingly unhappy about the banning of healing ceremonies and other religious rituals. In order to survive, however, it was necessary to put spiritual beliefs on hold, as a Kreung woman from Svay village in Ratanakiri explained:

> During the Pol Pot time we didn't believe in arak (spirits). They didn't allow us and forced the people not to follow our religion. We were not happy when Pol Pot did this but we were afraid of being killed. They'd have meetings and say for us not to think about the arak, but focus instead on the struggle with Vietnam. If we were feeling a little sick [and

> secretly wanted a healing ceremony], they'd say we were just lazy and accuse us of being Vietnamese enemies. Then they'd cut our ration. (Author's interview, Ratanakiri, 1999)

Highlanders who ignored prohibitions on spiritual practices were pressured or punished, and in some cases imprisoned or executed. A Bunong man from Pich Chenda district in Mondolkiri described the repercussions:

> If someone didn't agree to drop the traditional customs the Khmer Rouge would execute them. They wouldn't kill the person immediately. Their procedure was to first have a meeting, all night long if necessary. They would repeat the same thing over and over again about dropping our old customs. They said we must overthrow the old regime and replace it with the new. They would ask us over and over to drop the old customs until the villager pledged to do so and to respect the Angkar. If the villager didn't agree to respect the new rules, they would continue the meeting with only a short break for *babaw* (rice gruel) (Author's interview, Mondolkiri, 1995).

## 7. Resistance and Flight

Groups of highlanders began to try to escape the hardships imposed by the Khmer Rouge early on. In 1972, eighty Brao villagers from Bang village in Taveng, Ratanakiri fled to the Dragon's Tail area near the Vietnam–Lao border and later into Vietnam (Author's interview, 1996). Another small group of highlanders fled to Laos in May, 1973, led by Khmer Rouge commander Bun Mi, a Brao who thought that the Khmer Rouge were planning to kill him. He was convinced to return to Cambodia by the Lao Communists, the Pathet Lao, who negotiated directly with the Khmer Rouge for his safe return to Cambodia. (Author's interview, Ratanakiri, 1996; Baird interview, Ratanakiri, 1997; DC-Cam interview, Ratanakiri, 1999)

In 1974, highlanders became increasingly apprehensive after the Khmer Rouge executed hundreds of people in Veunsai district of Ratanakiri. Several hundred Jarai fled to Vietnam from Andong Meas district of Ratanakiri that year. In March, 1975, Bun Mi led another evacuation, this time followed by more than 2,000 Brao and ethnic Lao from Veunsai and Taveng, then to the border; they were followed shortly thereafter by all 1,570 Brao from Koh Pang sub-district. After the refugees had all reached the border, now numbering 5,000, it was decided that 2,000 would go to Laos and the rest to Vietnam. (Author's interviews, 1996, 1997)

Despite their increasing unhappiness under the regime, most highlanders in the northeast were unable to flee or resist, particularly those such as the Kavet whose villages were adjacent to the regional military headquarters in Ratanakiri. In Mondolkiri, the Khmer Rouge forcibly relocated the Bunong civilian population away

from border areas in 1973 (to Koh Nhek, near the Ratanakiri border) to stem the flow of Bunong who had already started fleeing to Vietnam beginning around 1970 to escape the US bombing (Author's interviews, Mondolkiri, 1995, 1996, 2000). A Bunong man from Mondolkiri summed up the overall impact of the new regime:

> No traditional practice was allowed. People suffered from building dams, collectivization of property, and forced labor for people at all ages. I saw large annual production of rice, but people still ate rice soup. I did not know where the rice was going. There was no rich and there was no poor. Everyone was equal. Everyone had to dress in the same way. There was no more filing of our teeth, making holes in our ears, wearing the *poeung* (loincloth), no sacrifice of cows for rice cropping, no farming based on the sky. It was just: build dams. If you have water, you will have rice. The more you do, the more you get. Those were the slogans. (Vannak interview, 2001)

## 8. A Blow to Traditional Belief Systems

The indigenous religions of the highlanders are based on evolved relations with local spirits based in nature, reflecting long-term adaptation to the natural environment. Khmer Rouge policy forced the highlanders to abandon their customary beliefs and transfer their local social allegiance from family members, village elders, and local spirits to new entities: the *Angkar* and the Party. The *Angkar* was not part of the highlanders' traditional religion or customary systems of social organization. Instead it was an abstract ideal imposed from outside that shifted the focus from a local scale—family, village and local natural spirits—to a larger, abstract, more impersonal level.

Villages that had evolved over generations in a natural environment were dispersed and broken up to form larger economic units. *Mey Arak* (spiritual mediums) and *mey kontreanh* (village elders), who had officiated over religious ceremonies and had mediated disputes, lost all authority to Khmer Rouge-appointed leaders of the work groups and cooperatives. The speaking of indigenous languages was largely discouraged. Traditional allocation of land based on ancestral boundaries identified by village elders was replaced by national-level directives setting goals for agricultural output, with *damban* (region) or cooperative chiefs making the decisions about allocation of land for industrial agriculture. Taboos against cutting spirit forests or hunting on sacred mountains were abandoned because of military or economic demands. Animals raised for religious sacrifices and gongs used during ceremonies were confiscated to support the revolution. Many of the spiritual beliefs and cultural practices—already suffering as a result of assimilationist policies during the Sihanouk regime—never fully recovered.

In many parts of Cambodia's northeast today spiritual beliefs that were disrupted or abandoned during the Khmer Rouge regime have still not regained their former character. After the Khmer Rouge were ousted, people in some areas continued to cut forests that were formerly sacred or venture into taboo areas. A Tampuan man from Lumphat district in Ratanakiri gave an example in an interview in 1996:

> The Pol Pot-ists did not believe in Buddha and were not afraid of spirits of the forest. There used to be a mountain the chun chiet (minority people) wouldn't climb because it was sacred. If we climbed it we would get sick. But during the Pol Pot time we were forced to go. Now we still go there to fish or collect rattan. (Author's interview, Ratanakiri, 1996)

Some highlanders now say they no longer perform religious ceremonies during different stages of the agricultural cycle to ask permission from the spirits. One reason ceremonies may be less necessary, suggests Bourdier (2006:45), is the fact that most land cleared for paddy rice is in the plains, where spirits typically do not reside, unlike the forests or mountains. Highlanders who were forced to start cultivating wet rice during the Khmer Rouge regime and continued it afterwards in the already-cleared fields may now feel less of a need to make spiritual sacrifices in order to ensure good harvests. A Tampuan from Chrey village in Lumphat district said:

> We used to make one ceremony when we burned and another before planting so that we would have good rain and get a good harvest. Since the Pol Pot time we abandoned that practice. (Author's interview, Ratanakiri, 1996)

In addition, some formerly sacred sites no longer hold the spiritual power they had before the Khmer Rouge regime, such as Boeung Lum Kat, a volcanic lake in Lumphat district:

> If people became sick they thought it was caused by an arak and we would make a ceremony at the lake. If there was any strong sickness we would do a ceremony. But during the Pol Pot time people were forced to cut [down the forest] around the lake and grow rice and vegetables there. Now it's less common to do ceremonies at the lake. (Author's interview, Ratanakiri, 1996)

Some highlanders state that life was easier in some ways during the Khmer Rouge era, when the traditional ceremonies were no longer mandatory, requiring less time and expense. Even though villagers could not conduct healing ceremonies and sacrifices, they say, most cooperatives had on-site medics and clinics for those who became sick, as well as zone, regional, and military hospitals.

Despite the fact that their spiritual practices were forced to go dormant by the Khmer Rouge regime, many highlanders were able to return to their customary religious beliefs after the Khmer Rouge were ousted in 1979 (White, 1996; Colm, Srey and Hou, 2000). In some cases traditional spiritual practices were revived in part to offset the negative consequences villagers suffered during the Khmer Rouge regime when they were forced to violate religious taboos or not allowed to properly propitiate the spirits. Social pressure from elders, mediums, and healers who survived the regime likely played a role as well.

The resilience of highland spiritual practices is evident in the fact that more than two decades after the Khmer Rouge regime, many highlanders in northeastern Cambodia continue respect the power of spiritual forces to damage villagers' health and livelihoods if they are angered or disturbed in their natural abode. In one of many examples of ongoing adherence to such traditional beliefs, in the late 1990s the Kreung villagers of O Chum district, Ratanakiri, demanded that a Taiwanese logging company negotiate a plan with local communities to protect spirit forests located within the logging concession. (Colm, Srey and Hou, 2000). In a 1999 interview, a Kreung woman recounted the revival of their ceremonies, despite their material burden:

> Doing seven or eight ceremonies a year is difficult, plus you need money to buy a chicken. Nowadays, in my heart, I don't want to conduct ceremonies, but if someone is very sick I have to do it. (Author's interview, Ratanakiri, 1999)

One might assume that Khmer Rouge policies left more permanent scars on the spiritual beliefs of the several thousand highlanders who fled with the Khmer Rouge to the Thai border area in 1979, when the Vietnamese invaded Cambodia. They lived under Khmer Rouge control for an additional twenty years. However, upon return to their home villages in the northeast in 1999, after the final collapse of the Khmer Rouge, some of the returnees said they hoped to resume their traditional religious ceremonies, although many of the younger people had no memory of the practices. (Author's interviews, Ratanakiri and Mondolkiri, 1999)

"Nowadays we just cut *chamkar* (swidden fields) without doing any ceremony," said a Bunong man upon his return in early 1999 to Royar village in Mondolkiri, an area cut off from most government and relief services at that time. "Only the old people know how to do the ceremonies. But now that we're back in Mondolkiri, we're starting again. We want the gods to help us. If we don't do the ceremonies, who will help us? Our ancestors can help us." (Author's interview, Koh Nhek District, Mondolkiri, 1999)

Damage to traditional highland religion during the Khmer Rouge regime may be a factor in the growing numbers of highlanders who are converting to Christianity. While some Bunong in Mondolkiri have practiced Christianity since the 1980s and before, Christianity did not become popular in most parts of the northeast until the mid-1990s (Author's interviews, Ratanakiri, Mondolkiri, Stung Treng, 1997, 2001). This cannot be simply attributed to members of a damaged society being persuaded by Western missionaries to replace one religion for another. Probing more deeply, one must also examine the cross-border influences of Christian highlanders in Vietnam with "animist" highlanders belonging to the same ethnic groups in Cambodia, particularly those such as the Jarai and Bunong, whose ancestral lands straddling the border are rapidly being confiscated or encroached upon through illegal and fraudulent land deals. In Ratanakiri, for example, Western missionaries have sometimes been stymied in their efforts to convert animist highlanders to orthodox forms of Christianity by Christian Jarai from Vietnam, some of whom are bringing a more politicized form of the religion to the Cambodian highlands. This religion, which is sometimes referred to as "Dega Christianity," brings together elements of ethnic pride, aspirations for an independent homeland, and evangelical Christianity (Salamink, 1977; Colm, 2002; Lewis, 2004). It is banned in Vietnam, where the government states that it is a threat to national security.

## 9. Bitter Harvest

Khmer Rouge criteria for cultural conservation can be seen in terms of the division between "base people" from the liberated zones in the countryside and the fairly educated and more well-to-do class of "new people" from the cities. In some ways, the idea of base people is roughly comparable to the idea of indigenous culture; both are populations that have evolved in their natural settings away from urban centres deemed to be capitalist and corrupt. The Khmer Rouge's alleged sympathy for base people in the northeast, however, did not translate into genuine support for preservation of indigenous culture.

The question arises as to whether the highland base people were treated in a similar manner to the lowland (ethnically Khmer) base people in other parts of the country. While there are certain similarities in the treatment of the two groups, it should be noted that the Khmer Rouge concept of "base culture" primarily referred to lowland Khmer agrarian culture; paddy rice cultivation was a key element derived from the lowland Khmer tradition. In contrast, for most highlanders, paddy rice cultivation was something that had to be forcibly imposed upon them, replacing the swidden agricultural system and traditional forest resource management.

Anthropologist Claude Raynaut raises the question as to whether the highlanders' traditional way of life, as viewed through the lens of abstract Marxist ideology, may have initially seemed to provide the Khmer Rouge with a concrete social model, precisely reflecting not only their theoretical framework, but their political and social objectives for the country as a whole (Raynaut, *pers. comm*., 2007). However, the Khmer Rouge ideologues did not fully value the complexity of highlanders' traditional social systems, wherein material, social, and cultural dimensions were deeply intertwined. Instead, they separated out and emphasized certain aspects of highland culture that seemed to resonate with Marxist ideology, such as their perception that the highlanders practiced a kind of "primitive communism" and that the highlanders chose not to engage in—or lacked access to—a market economy. After 1973, the Khmer Rouge grossly distorted the scale of that communal lifestyle, forcing the highlanders to expand it from the natural units of the family and village to much larger economic and political units of *sahakar, karathan*, and *damban* (cooperative, work unit, and region).

While the Khmer Rouge wreaked havoc on the culture and religion of both highland and lowland Cambodia, the manifestations of this damage had different dimensions. In part this is because the highlanders were animists and the lowlanders—while also following some animist or Brahmanist beliefs—were primarily Buddhists. While much of Buddhist life is centred around the village pagoda, for the highlanders the spirits are omnipresent, located in natural phenomena, particularly spirit forests. As one Kreung villager put it: "Destroying our spirit forests is like someone entered a Buddhist pagoda and destroyed the Buddha statues." It could be argued that the impact on highland religion was perhaps even more pervasive than the impact on Buddhism. Being assigned to a work group to clear a spirit forest demonstrated the hardship of forced labour under harsh conditions to any worker; to the highlanders, it may have also constituted an attack on spiritual forces, reprisals from which could in turn mean danger, damage, or death to the labourers or their families.

Many of the highlanders who did not rebel against or flee from the Khmer Rouge, but instead stayed in the Northeast Zone long after the Khmer Rouge themselves fled the region in 1979, were later bitter about their former loyalty to the Khmer Rouge and the sacrifices they had made during the war, especially after seeing former Khmer Rouge or their battlefield leaders living freely and in relative luxury in Pailin or Phnom Penh. A Kachok who served as Deputy Secretary for Region 101 (present-day Veunsai province) for the Khmer Rouge until 1978, and who narrowly escaped execution at S-21 prison in Phnom Penh, commented in an interview in 1997:

> I was part of the struggle for a long time together with those people, but now we see no result. We have nothing; we are still poor and there's no development here. The forest

> soldiers came to us and said, 'Let's struggle for our nation; let's all march together.' So we joined the struggle. But none of the leaders stayed here during the bombing. It was our own sons and daughters that we sent who came home with broken limbs. Even during a time of war, they should not use people like that. After they became successful they never thought about us. When they had food, they forgot about us. They only think about us when they have an urgent need. Next time there's war, they shouldn't come to us poor people for their struggle. They should take their own sons and daughters to fight their war. During the revolution the leaders said after liberation we will control our own destiny and there will be no mistreatment. But after liberation we were the ones who suffered. We're the ones who won, but we're tired and beat down. During the struggle in the forest, who did the work—it was us. But after victory no one cares about the people who struggled before; they look down on us.(Author's interview, Ratanakiri, 1997)

## 10. Conclusion

Pol Pot's early affinity with the highlanders never faded despite rarely having been seen in the northeast after 1970. According to his aides, one of Pol Pot's final wishes was to have a portion of his ashes spread in the northeast after his death. Highlanders living in Anlong Veng, a Khmer Rouge-controlled area on the Thai–Cambodian border in the 1990s (see Chapter 6 by Thibault in this volume) reported that Pol Pot became very emotional when he met them there in 1993. "He cried when he saw us," a Jarai said. "He pitied us because we had to leave our homeland. It was hard for him to speak because of his emotion. He gave us a good blessing." (Author's interview, Ratanakiri, 1999)

Despite Pol Pot's rhetoric, and perhaps idealized perceptions, of Khmer Rouge solidarity with the highland minorities, his policies and practices ultimately resulted not only in the deaths of thousands of people in the northeast from purges, lack of food, and disease, but in serious blows to the highlanders' traditional way of life.

With few senior Khmer Rouge leaders still alive today, we may never know the extent to which the political ideology they held when they arrived in the northeast was influenced—or even further radicalized—by their time amongst the highlanders in the *maquis*. While there certainly were internal policy discussions within the CPK Central Committee, as indicated by the purges of those who lost the debates, I would argue that the Khmer Rouge came to the northeast with an ideology that was not open for negotiation with the highlanders; they neither accepted nor asked for advice from them. Although they initially held the highlanders in an exalted position, ultimately the Khmer Rouge showed themselves unwilling or unable to adapt their political framework to the highlanders' social, spiritual, and cultural systems. Instead, like millions of Cambodians throughout the country, it was the

highlanders who were forced to adapt—or risk execution—so that the Party could meet its political objectives. Despite the Khmer Rouge's professed admiration for indigenous communal life, they did not allow indigenous social organization, and decision making in particular, to continue to be conducted communally at the village level. Instead they insisted on a supremely hierarchical decision-making model in the *Angkar's* top-down, centralised control.

When aspects of highland culture did not fit into the Khmer Rouge's ideology or goals, they were generally rejected. Ultimately, there was a poor fit between the Khmer Rouge's professed affinity for their forest brethren (or nature generally), and the reality of a lifestyle in the forest that was at the same time more anarchic and more conservative than the Khmer Rouge's radical Maoism. Thus, while physical conditions in the northeast may have been relatively less harsh than other zones, the more intrusive effect of the Khmer Rouge revolutionary policy dismantled the evolved traditions that linked indigenous populations to their land.

Paul Richards has written of the clash between forest dwellers and urban dwellers driven to the maquis:

> Metropolitan elites tend to think alike. Backwoods communities have their common pattern of thought. Rarely, however, do forest and city see eye to eye. Trouble starts when intellectuals, driven from the city, but uncomfortable in the bush, take up backwoods ideas and develop them into a universal complaint, but without putting their theories of social exclusion to the test in the making of communities that work. This intellectualism sunders the subtle links between forest ideas and forest community. Community checks and balances go by the board. Backwoods violence of a Pol Pot kind becomes thinkable. To metropolitan elites—who never understood the checks and balances of backwoods society in the first place—this is an abstract and terrible barbarism. But the disdain of the metropolitan elites makes the excluded intellectuals in the forest more than ever determined to flog their idea to death. (Richards, 1996: 61)

Further research is needed to determine the extent to which the forced hiatus in the highlanders' observance of traditional religious practices during the Khmer Rouge regime left permanent scars on highland society, or whether the wounds eventually healed over time. Other topics worthy of further study, as Raynaut suggests (*pers. comm.*, 2007), would be the extent to which the excesses of the Khmer Rouge regime led to a hybridization process in the northeast that is spawning new forms of social and economic organization, a different relationship to nature and natural resources, and evolving spiritual belief systems.

With increased community-based activism springing up in the northeast and other parts of Cambodia, highlanders are once again organizing to defend their land

(and the natural resources upon which their livelihoods depend) from encroachment by logging companies and agricultural concessions (see chapter 10 by Ruth Bottomley in this volume). Highlanders are joining forces—and sharing strategies and ideologies—with Cambodian community organizations that since the 1990s have been given some political space to operate in Cambodia, including environmental organizations and human rights groups.

While many highlanders continue to observe customary beliefs revolving around the appeasement of powerful spirits found in nature, some of the highland community organizations are incorporating principles of basic, universal human rights into their spiritual and political frameworks: an agenda that calls for an end to the worst of the abuses committed by the Khmer Rouge, including torture, summary executions, bans on peaceful expression of religious or political beliefs, forced relocation and eviction, and ethnic cleansing.

The exodus of thousands of highlanders from the northeast during the 1970s indicates not only the errors in judgment made by the Khmer Rouge, but fundamental flaws in their political platform, causing them to lose the support of a large number of people who had initially been very loyal to them. Whether intentional or not, the Khmer Rouge's years of struggle in the forests of northeastern Cambodia were not simply a struggle against the American and Vietnamese enemies. Ultimately, it became a struggle against the indigenous culture of the highlanders as well. In the end, the Khmer Rouge did little better than other players in the Indochinese wars in winning the hearts and minds of Cambodia's indigenous tribal minorities.

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## Chapter 6

# As Free as Possible: The Tampuan Minority, Khmer Rouge Pressure and Border Humanitarian Assistance

**Christel Thibault**

Between the 1960s and the very late 1990s, Cambodia was affected by successive external and internal wars. Guerrilla groups appeared in the peripheral regions and the strength of various Khmer Rouge factions increased until, in 1975, they formed a national government, controlling Cambodia entirely. The military intervention of the Vietnamese army in 1978 defeated the Pol Pot regime but, until the late 1990s, the Khmer Rouge remained a powerful opposition group in Cambodia.

In the eastern provinces, the indigenous population lived under the military and political influence of such factions for quite some time. Long after the Khmer Rouge government's defeat in January, 1979, different hostilities came to the fore, mostly against Vietnam, and aggravated by violent internal conflicts. The external war, coupled with an escalating civil war, caused severe turmoil and large scale forced displacements inside Cambodia, with many fleeing out toward its borders. During this war-torn period, about 400,000 refugees lived in border camps with assistance from the United Nations. (Thibault, 2005) The fate of the Tampuan (an indigenous ethnic minority) turned out to be tightly linked with one of the Khmer Rouge factions.

While there are other groups in the area that merit study for similar reasons (such as the Brao and the Jarai (both from Ratanakiri), the Bunongs (from Mondolkiri) as well as the Laotians and the Khmers living in these north-eastern provinces) the displaced Tampuan have been selected for the purpose of this study in part because misconceptions about them remain widespread and prevalent in Cambodia today. Normal Khmer citizens and external observers both seem to be trapped in certain preconceived notions about the Tampuan' recent past; speculative, false and unjustified views prevail as to what was the real relationship between these indigenous peoples and the Khmer Rouge. Thus, in focussing on the Tampuan, we have a special obligation to point out that they have been, like so many other peoples in Cambodia,

largely the victims of the Pol Pol regime (Sara Colm and Frédéric Bourdier, personal communications, 2008). They suffered along with the others and most Tampuan families spoken too had at least one of their members either killed or eliminated by starvation and illness during the Khmer Rouge regime. The study could have chosen any other social group, and it has no specific meaning to select the Tampuan, apart from the fact that, in the Thai border area, we had privileged access to them.

Until now, no specific investigations have been carried out on the role of the Tampuan during the period of Khmer Rouge control over the outer regions of the country and, conversely, little is known about the abuses and ideological manipulations that the Tampuan endured during this protracted period of conflict. During my doctoral fieldwork I had the opportunity to meet some highlanders in refugee camps. _The present article presents this research on the Cambodian–Thai border from the 1980s in contrast with the findings of an additional field survey conducted in Ratanakiri province in 2001. All individuals interviewed had been repatriated to Cambodia in 1999 from Phu Noi camp (located close to the northern border of Cambodia); their families are native to Ratanakiri and are ethnically Tampuan, the largest of the eight proto—Mon-Khmer minorities, mainly located between the Sesan and the Srepok Rivers (Bourdier, 1998).

This paper highlights some respondents' experiences in particular in order to provide a better understanding of the Tampuan socio-spatial post-conflict reintegration after their long period of displacement. This also reveals how some families managed their living conditions during this phase of their history, from their incorporation among the Khmer Rouge forces in the early 1970s until they returned home around 2000–2001 after staying along the Thai side of the border. From this emerges the trajectory of the Tampuan who were caught between UN humanitarian intervention and complex internal and external political forces that dominated the eighties.

## 1. Guerrilla Warfare and Refuge in Peripheral Regions of Cambodia

Data relating to Khmer Rouge guerrilla warfare is sketchy, not so reliable and most often politically biased. However, with caution, it is possible to roughly outline its arising in the border regions of Cambodia at the end of the 1960s; Sara Colm's contribution to the present volume (ch. 5) provides sufficient insights as to the emergence of the Khmer Rouge in Ratanakiri. The historical works of Michael Vickery and Ben Kiernan (1985), even if not always in agreement, provide a sufficient understanding of the international political situation at that time, as the Khmer Rouge came into power. To reprise these facts would go beyond the scope of the study. We will proceed from the point when Vietnamese army entered in Cambodia in 1978.

### 1.1 Tampuan Links to the Khmer Rouge Faction on the Thai Border during the 1980s

The Vietnamese military intervention caused the collapse of the Pol Pot regime but for ten years the new pro-Vietnamese government deployed an army of occupation and a strong "authoritarian regime", pressuring the civilian population. In Ratanakiri, however, the situation has been perceived sometimes differently by the local population. While Ian Baird reports that many highlanders speak relatively highly of the 1980s in terms of highlanders having more political power then than ever before or since (Ian Baird, personal communication, 2008), Frédéric Bourdier relates that most of Tampuan from the village where he had been living in the nineties did recognize afterwards that there had been much more collaboration than coercion. The Vietnamese allowed the highlanders to return to their religious ceremonies and other practices and beliefs that had been entirely banned by the Khmer Rouge (Frédéric Bourdier, personal communication, 2008).

But despite a genuine relief—after enduring almost four years of Khmer Rouge excesses and genocidal practices—Cambodia remained closed and hardly opened toward other Asian Countries, while humanitarian assistance from the West could not enter inside the country. In fact, foreign aid was allowed by the government in Phnom Penh, but the USA and other countries (who did not want to recognize the government established by the Vietnamese occupation) did not allow foreign aid to enter Cambodia. Deteriorating health conditions and the scarcity of food prompted hundreds of thousands of civilians to flee towards the Thai border. Apart from those who fled on their own initiative, many were taken there by the Khmer Rouge as their own armies fled the Vietnamese.

Between 1980 and 1992, the refugee flows never stopped growing. In the northern and western border regions, internally displaced people joined the military camps of the different guerrilla groups (Khmer Rouge, royalists, republicans) in opposition to the pro-Vietnamese government, which began to consolidate their political and military gains. This is the reason why the population of the very first "refugee camps" on the Khmer side of the border (Chong Khao Phlu, Huay Cherng and Phu Noi) actually had a very mixed population, consisting of both vulnerable civilians and "freedom fighters", variously allied to the Khmer Rouge, FUNCINPEC or Son Sann.

Civilian refugees under protection during this period were indebted to (and most remained under the military influence of) their so-called protectors as long as they were based along the border (inside or outside of the refugee camps themselves). Definitely, the affiliation of any given population with their respective political parties (in the camps) had little to do with any ideological concern; it was connected

with more immediate concerns as to their own survival. At that time, most of these people were lacking any other reliable option.

In this period, the United Nations opposed the military occupation of Cambodia, refusing to acknowledge the new government in Phnom Penh, initiating a confrontation with Vietnam on humanitarian and political terms as a result of the animus of the US and others against Vietnam (largely due to their having lost the prior war there). That led to the international recognition of the guerrilla groups and UN support for civilian refugees inside and outside Cambodia, at least along the Thai border. Thus the United Nations Border Relief Operation (UNBRO) was formed in 1981 in order to give direct international assistance to the refugee population, in this way, avoiding channelling support through the local pro-Vietnamese authorities (further references on this matter can be found in my own PhD thesis of 2005).

Shortly thereafter, in 1982, the United Nations decided to legitimize the constitution of the Coalition Government of Democratic Kampuchea (CGDK) comprising the three major resistance groups and their associated armed forces. This coalition government was acknowledged as the only official representative of Cambodia at the UN until 1989 (Thibault, 2005).

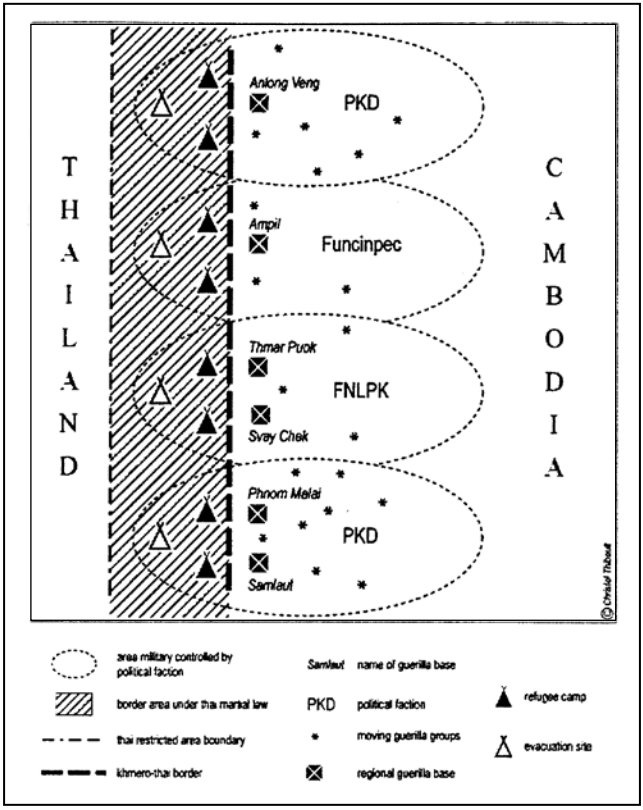
This peculiar coalition officially allowed the factions to keep their own political identity and their existing political, financial and military support, so that the Khmer Rouge faction (strongly supported by the United States, China, and even Thailand) became the *de facto* heavyweight in the Coalition—its recent dictatorial practices were deliberately ignored by the UN, at least temporarily (Thibault, 2005). The border itself became a stronghold from which the UN intended to resolve the Cambodian political and military crisis. But as an exile government, the CGDK had no territory and no population to manage except on the border and in the refugee camps. Each camp and its population were officially linked to one of the factions comprising the coalition:

- PKD: *Parti du Kampuchea Démocratique* (the main Khmer Rouge faction).
- FUNCINPEC : *Front Uni National Pour un Cambodge Indépendant, Neutre, Pacifique et Coopératif* (the Royalist faction).
- FNLPK: *front national du peuple Khmer* (the Republican faction).

Thus the Khmer–Thai border became a politicized and militarized system of humanitarian intervention, illustrated in figure 1.

The Coalition became rooted at the border because it appropriated territories there (*viz.*, refugee camps assisted by the UNBRO with their evacuation sites, the military installations of political factions, and liberated areas inside Cambodia managed from local strongholds) and kept control of their civilian and paramilitary populations

**Figure 1: Tampuan, from the eastern regions to the Khmer–Thai border**




in each enclave (refugees, displaced persons fleeing conflict and national disaster, and combatants). In the field, each faction possessed its own complete cross-border system—each strictly separated from the others—except for the more powerful Khmer Rouge faction that had two systems: one in the North (centred on Anlong Veng), and one in the West (with centres on Phnom Malai and Samlaut). As a result, the whole civilian population involved in this cross-border system was politically and geographically divided, until the general repatriation to Cambodia in 1992–93.

These peculiarities maintained the political-military balance between factions. When the peace agreements were signed in 1991, the republican faction (KPNLF) maintained the biggest civilian refugee population with more than 225,000 persons, in two UNBRO camps and 11,000 to 15,000 combatants (SIPRI, 1989, p. 348); the

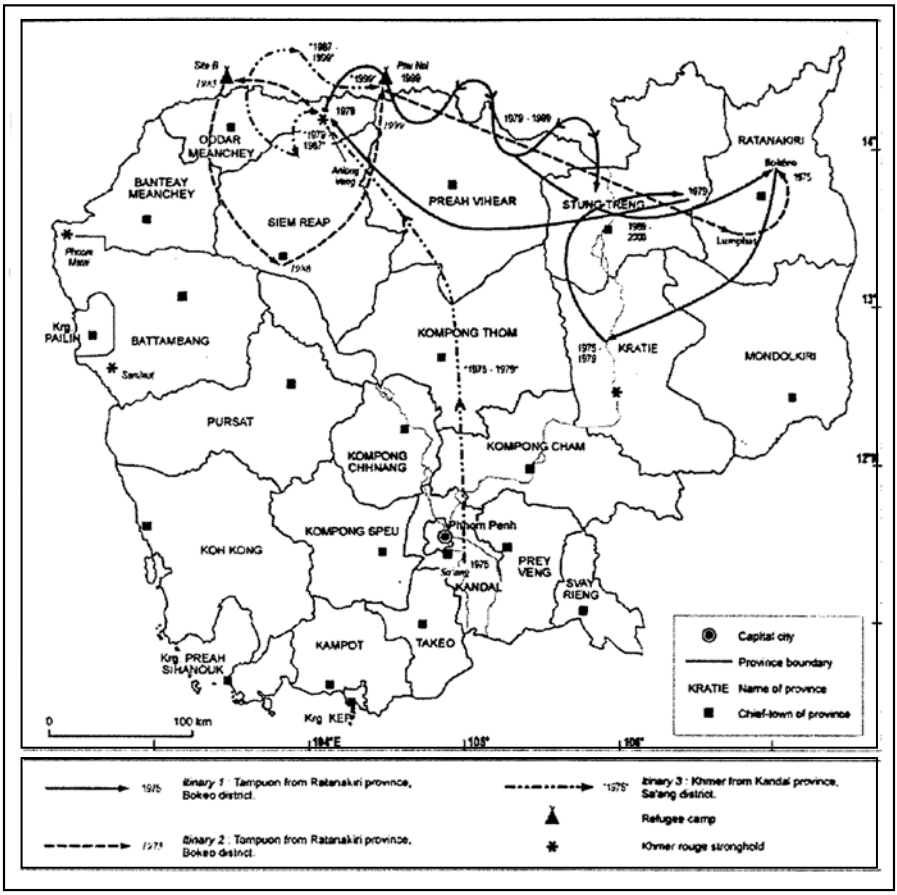
Khmer Rouge faction (PDK) comprised about 40,000 combatants and 75,000 refugees in three camps (Thibault, 2005, p. 239); the royalist faction remained a political lightweight with about 58,000 refugees in one camp and limited military potential with about 13,000 combatants.

Through the CGDK, the international recognition of the politicization of humanitarian assistance in the UNBRO border camps strengthened the (politically defined) military factions and, moreover, reinforced the allegiances between anti-government forces and civilian refugees. These relations between fighters and refugees defined the rules of the game. For example, along the northern border, links between combatants and refugees were as strong as possible insofar as, for instance, the so-called "civilian refugees" of the O'trao (UNBRO) camp, managed by the Khmer Rouge faction, were actually families or relatives of combatants themselves. But when family or broader kinship ties became loose for various reasons (e.g., some running away, changing places, internal hostility, verbal in-fighting, unexplained killings, etc.) the "freedom fighters" lost their control over this refugee enclave to a great extent. On the other hand, the remaining Tampuan refugees have different cards dealt to them, and some interviewees suggest that the game changed when they became aware of the possibilities of going to settle for somewhere else awhile. With these options in mind, the Tampuan surveyed often stayed in O'trao for just short periods of residence in the camp itself. Individual accounts from the north-eastern provinces shed light on the efforts of Tampuan to distance themselves from almost all the protagonists in the borderlands.

While the accounts of the Tampuan interviewed vary, major trends emerge about the period of Vietnamese military occupation and political supervision (1979–1989). Interviews conducted in 2001 were carried out with former residents of the border camps mentioned in this paper. Few Tampuan combatants were involved in guerrilla warfare. The majority were settled far from Anlong Veng military base. Most crossed the border and/or lived on the Thai side of the border where they assumed Thai-sounding names (that they subsequently continued to use with their first names upon returning to Cambodia). Actually, there is more of an historical background to this phenomenon: most had assumed Lao/Thai type names in the past, because Ratanakiri was previously part of Laos and there was a lot of Lao influence through their contact with the Tampuan (Ian Baird, personal communication).

However, after a succession of particularly powerful Vietnamese offensives on the Thai border during the 1984–1985 dry season, it seems that the majority of the Tampuan (detailed accounts are not available) were forced to settle on the Cambodian side of the border along with most of the local civilian population. Both as combatants and civilians, the Tampuan maintained a very high ability to adapt—from one place to another, from one border to another, from one military camp to another, as well as interchanging military and civilian occupations. They could just as easily take up the

**Figure 2: Examples of itinaries towards the Khmer–Thai border**




Chnstel Thibault

**Note:** The UNBRO Camps of the Thai border are not represented on this figure, except Site B
**Referemces:** field survey,2000-2002

duties of guerrilla warfare as paddy cultivation, trafficking in small scale consumer goods or arms, and so on, depending on the situation.

We can assume that as long as the Tampuan stayed in the North-Eastern provinces they were forcibly under the control of Khmer Rouge troops, but once they left this region in 1979 (after the Vietnamese invasion) their relationship changed, and they became rather brothers-in-arms, allied or under the influence of the Khmer Rouge,

however not through duress. Of course, they did not all leave, and some ended up becoming pro-government soldiers, while others did not choose any camp. The Tampuan surveyed seem to have succeeded in keeping a certain distance from the Khmer Rouge guerrillas when they occasionally decided to stay temporarily in one of the civilian refugee camps on the Thai border (under the mandate of UNBRO from 1981 to 1991). The personal itinerary of two brothers, surveyed in 2001 in Ratanakiri, illustrate two different kinds of situations.

Interview in Trom village, Bokeo district, Ratanakiri province (cf. figure 2, itineraries 1 and 2):

> Lôk (mister) C.A., 41 years-old in 2001, is an ethnic Tampuan, former Khmer Rouge soldier, and was a farmer at the time of the field survey. He is from Bokeo district, his spouse is ethnically Lao from Ratanakiri; they have seven children. When he was a very young teen, *Lôk* C.A. and his brothers joined the Khmer Rouge ranks. Between 1975 and 1979, he was first based in Kratie province, not far from the Khmer Rouge headquarters, and later in Stung Treng province. When Vietnamese soldiers invaded the province in 1979, he and his battalion were defeated and moved as fast as possible towards the northern border and Anlong Veng military base. Between 1979 and 1989, he frequently moved or lived across the Thai border to avoid Vietnamese offensives. He took active part in guerrilla activities until he suffered a severe injury to his right arm in a mine explosion. Unable to use a weapon after that, he was assigned to different logistical tasks along the Thai border. He returned to Cambodia when the Vietnamese troops started to withdraw in 1989. He now lives in Trom Village, Bokeo district, with his brother (C.B.).
>
> The account of Lôk C.B., is quite different from that of his younger brother, C.A. He left the Khmer Rouge ranks later, in 1985, and then stayed more than one year in the UNBRO border camp Site B, managed by the royalist faction. Despite his strong desire to shed his Khmer Rouge influence, his previous affiliation did not ease his integration into the camp and he was not well accepted by other refugees of the camp. Moreover, in the refugee camp he felt, for the very first time, the loss of his freedom of movement. A Tampuan, and a man of the forest, he preferred to abandon the camp and its humanitarian assistance, and return to Siem Reap province in Cambodia as a simple civilian. There he worked small paddy fields until 1999, when he heard that the UNHCR was implementing a secondary repatriation from the border. So, once again, he joined a border camp, Phu Noi (North Anlong Veng district) because he thought it was the best way to return to his home in Ratanakiri. He initially settled in Lumphat district, where he found his brothers, and after one year, they were all reunited in their place of birth in Bokeo district.

If some of the Tampuan were narrowly linked with the Khmer Rouge soldiers, they had more autonomy than the rest of the civilian population—refugee or not. In a sense, they had a sort of halfway position, between true soldiers and true civilians (more vulnerable or under more direct influence). On the other hand, many Tampuan individuals like Bou Thong were totally opposed to the Khmer Rouges from the beginning to the end, and many of them were killed from 1972 onwards (personal information from Frédéric Bourdier). Bou Thong was previously a communist trained in Vietnam before the Khmer Rouges came into power and was actually a member of the parliament; he became the head of military efforts against the Khmer Rouges in the Northeast in the late seventies.

### 1.2 Tampuan among the Last Returnees

The global repatriation of the border camps' residents was one of the five main points of the peace agreements signed in 1991. But considering the fact that many Tampuan lived (most of the time) outside the UNBRO camps, it is difficult to estimate the circumstances of their return to Cambodia. It could have been possible to know more about this by asking them directly but at the moment when we were conducting our fieldwork in Cambodia, we did not it have in mind to raise this issue. By cross-referencing existing (official) data and our own field surveys, we will try to estimate when and how the Tampuan were involved in the different waves of repatriation.

### 1.3 A Globally Brokered Repatriation, Step by Step

At the end of the 1980s, the close of the Cold War marked a crucial period in international foreign policy. In the ensuing decade, with its resolutions less constrained by the polarities of communism and anti-communism, the Security Council of the United Nations asserted itself as a means to prevent or to resolve outstanding conflicts all over the world.

Following the distinct improvement in East-West relations, Russian and Chinese disengagement reduced the Cambodian conflict to a more local scale. Hanoi was forced to withdraw its 140,000 soldiers still deployed in Cambodia, and the tense negotiations initiated ten years earlier opened the way to general peace agreements, signed in Paris on October 23, 1991. This agreement established a peace and reintegration process, an 18-month large-scale peace-keeping operation organized through the United Nations Transitional Authority in Cambodia (UNTAC). Moreover it illustrated an official will to engage in a truly sustainable reintegration of the civilian population, rather than a security-oriented peace process, strictly speaking.

Considering this background, the global repatriation of Cambodian refugees was an integral part of the peace agreements (Nations Unies, 1993), but it was tightly tied to the schedule for the electoral process. Despite significant obstacles—such as a high level of insecurity due to a new wave of Khmer Rouge attacks, an increase from 40,000–190,000 new internally displaced persons (Thibault, 2005, fig.45, p. 331)—and the lack of arable land cleared of mines and explosives—the refugees were scheduled to return to Cambodia by April 1993, to participate in national elections in July 1993.

By the end of this major repatriation, the UNHCR registered 354,771 returnees from the UNBRO-operated Thai border camps (UNHCR, 1993), and 75 percent of them (266,078) were resettled in one of the North-western provinces. Most of them stayed in Battambang, Banteay Meanchey or Siem Reap. Between 1993 and 1998, at least 127,000 additional persons returned to Cambodia without any support from the UN, probably many of them from Vietnam. However, the political situation in Cambodia was still uncertain, and new displacements occurred soon after this first large-scale return movement.

## 2. A Second Major Wave of Forced Displacements: 1997–1999

During July, 1997, a profound governmental crisis caused a major new wave of forced displacements in the North and in the West of the country. The political structures set up in 1993, at the end of the UN peace-keeping mission (*viz.*, UNTAC), were too weak to resist the opposition between the royalists (of FUNCINPEC) and the various communists incorporated into the new CPP (Cambodia People's Party). They were bound into a new, peculiar political coalition, but positions were not equitably divided between FUNCINPEC and CPP; rather, they were co-administered by ministers and secretaries from both parties. Internal competition was so strong that it *de facto* paralysed all chance of good governance and stifled post-conflict reintegration in the country (for more details, see Thibault, 2005).

In October, 1996, a faction of the Khmer Rouge lead by Ieng Sary, comprising the majority of their forces, accepted an agreement to give up the fight and integrate their troops with the Royal Cambodian Armed Forces (RCAF). Meanwhile, it has been "quickly" uttered that the Khmer Rouge defectors and the royalists secretly attempted a political alliance in order to oust the CPP from the coalition government; such a theory, however, needs to be backed up with facts, as it not commonly recognized knowledge, and the situation at the time was more complicated than this.

What we know as a matter of fact is that Khmer Rouge troop movements from the North towards Phnom Penh were detected. It has been said by some authors and

journalists (but far from being scientifically confirmed) that a conspiracy of some sort had failed and Hun Sen took advantage of this unexpected situation to quash all opposition, and to take sole power over the government. Whatever the true motives behind the situation were, Cambodia once again descended into chaos. While in Phnom Penh tanks were moving downtown and battles ensued in the streets, troops allied to FUNCINPEC and the CPP started to fight in the countryside, notably in Battambang, Banteay Meanchey, Oddar Meanchey and Siem Reap provinces. In the field, despite the alliance between FUNCINPEC and some Khmer Rouge groups, the CPP faction had the military situation under control most of the time. Battles did not end in a day and along the border they fought for months.

According to the UNHCR, this political crisis started a new wave of forced displacements involving about 80,000 to 100,000 people, displaced internally or towards the Khmer–Thai border. Intra-government fighting was one major cause of internal displacements, but by no means the only one. In fact, while the government was experiencing difficulties, the Khmer Rouge faction split further, with moderates agreeing to defect to the central government and be integrated into the army, while hard-liners resolved to remain a contesting party and to join the strongholds in Samlaut (Battambang Province) and Anlong Veng (Oddar Meanchey Province). Moreover, the hardliners took advantage of the division within the RCAF to gain ground in the West and in the North, and fight the moderates who had defected. The situation in the field caused great confusion for civilians. In the North, in August 1997, about 15,000 people fled to Thailand from the royalist base of O'smach and settled in Huay Cherng camp in Surin Province (*see* figure 4). A few months later, about 20,000 additional displaced people crossed the Thai border from Samlaut District and scattered between Chong Khao Phlu, Ban Ma Muang and Ban Muen Dam camps in Trat Province. But the level of insecurity was so high that the latter two camps were quickly deserted. Then, in the North, at least 17,000 newly displaced persons settled in Phu Noi camp in Thailand's Sisaket Province. A large number of displaced persons forcibly displaced along the Thai border had only returned home three or four years earlier.

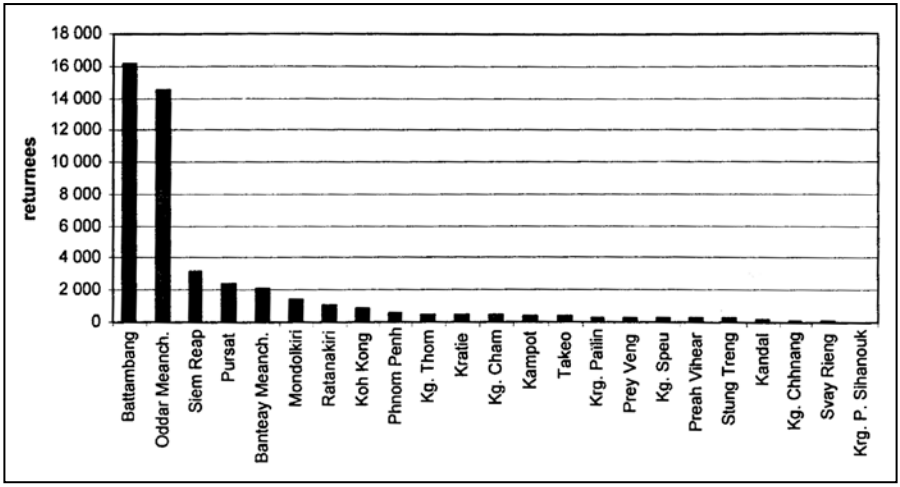
In April, 1999, about 47,000 refugees were officially repatriated in Cambodia through UNHCR operations. This returnee population has not been clearly identified since the 1998 general population census of Cambodia couldn't be implemented in the three districts closest to the refugee camps (Samlaut, Veal Veng, and Anlong Veng) with the greatest flow of internally displaced persons following the 1997 crisis. However, after the field surveys, it is clear that some of the returnees of 1999—especially Tampuan—were actually on the Thai side of the border when the 1997 political crisis occurred, and when the 1999 repatriation started, according to UNHCR statements.

## 2.1 The "Missing" Refugee Population along the Khmer–Thai Border

The repatriation of 1999 highlighted the existence of a refugee population remaining on the Thai border—long after the UNBRO camps officially closed down in 1993. Despite difficulties in cross-referencing existing data relating to IDPs, camp residents and returnees (which may give rise to significant margins of error in processing data), a total of 371,066 residents of the UNBRO camps were looking forward to being repatriated in Cambodia before the operations began (Thibault, 2005, Annex 3, Figure B, p. 454). Only 354,771 returnees were registered as returned to Cambodia: 16,295 fewer than the number of camp residents.

From a UNHCR point of view (in legal terms only) the difference between residents and returnees indicates the number of "spontaneous returns", meaning those people who returned to Cambodia on their own, without any UN logistical support. However, we need to be very careful with what the UNHCR calls "spontaneous returns" because, in fact, it means nothing more than refugees who are not included in a UN-organized repatriation. Refugees cannot legally decline to go back to Cambodia, but because those movements were outside the mandate of the UN, it is hard to specify how, when, how many took place, or from which locations along the Thai border they departed. Therefore, from a researcher's point of view, the spontaneous

**Figure 3 Repatriation by province in April 1999**




**References:** UNHCR Cambodia, 1999, *Returnees statistics according to province and district: repatriation from 10 October 1997 until 5 April 1999.* Unpublished, 2 pp.

returns should be defined as a "missing refugee population". In any case, there was a remaining refugee population on Thai territory after the UNBRO withdrawal.

Bearing in mind collusions between the Thai army and some camp residents—especially those who showed obedience to Khmer Rouge factions—it was possible to make the assumption that, among the remaining population, combatant-refugees represented the largest percentage, as opposed to civilian-refugees. Indeed, it is an

**Figure 4: Returnees from the Khmer–Thai border in 1999 (by district)**

**References:** after UNHCR, Battambang, April 1999

established fact that about 600 civilian-refugees subverting the UN repatriation (declining to return voluntarily) were transferred over the border by Thai soldiers straight to the reception centre at Sisophon—*inside* Cambodia. Moreover, 1999 repatriation data completed by a field survey in the Northeast confirmed a preponderance of former combatants among the remaining population returning to Cambodia belatedly, many years after their compatriots of the UNBRO camps.

Taking into account the national statistics of the 1999 returns, minor flows would appear more instructive than major flows. Not surprisingly, the five North-Western provinces affected by the 1997–1998 conflicts received more than 82% of the total number of returnees (38,401 persons, or 10,066 families) from the border camps of Chong Khao Phlu, Huay Cherng and Phu Noi (*see* figure 4). But it is important to notice that minor flows reach every province of Cambodia without exception, while forced displacements due to the political crisis were strictly located in the Northwest. So, correlatively, this means that 18% of the returnees in the 1999 UN repatriation had not been displaced during the 1997 crisis, but were previously settled for at least several years outside camps in Thailand before joining one of the three camps opened in 1997–1998 in order to be repatriated.

About half of the remaining population (8,257 persons, 2,500 families) consisted of refugees who appeared to be part of the so-called "spontaneous returns" of 1993. They were repatriated to Cambodia step by step, over the course of many years. Many of these people were tolerated by local authorities in Thailand until the expatriates took the new opportunity to return to their homeland. Therefore, in a way, the 1999 repatriation completed the primary repatriation movement started in 1992.

### 2.2 Returning Home: Belated Returns in the Northeast Provinces

The district-by-district breakdown of the 1999 returnees shows that all of them originated in districts under former or contemporaneous Khmer Rouge control, or showing obedience to the Khmer Rouge (*see* figure 4). In Western and North-western regions, data doesn't distinguish between forced displacements due to the 1997 crisis and belated returns of longer-term refugees. However, those belated returns appear clearly in the Eastern regions, especially in Lumphat District of Ratanakiri Province and Koh Niek District of Mondolkiri Province.

#### 2.2.1 The Tampuan Return to Ratanakiri

In every region affected by major flows of returnees, the Khmer Rouge factor is significant. This tends to confirm assumptions that the remaining refugee population repatriated in 1999 consisted of combatant-refugees rather than civilian-refugees, and

that they were generally Khmer Rouge aligned, rather than republicans or royalists. Since the early 1980s, the Khmer Rouge have always been hostile to the UN border relief operation, but they were sensible enough to maintain good and focused relations with Thai army. Therefore, among the three political-military factions, the Khmer Rouge (and groups linked to them) always maintained the greatest freedom of movement and action. Because of this implicit protection, officials should have expected that refugees from Khmer Rouge border camps wouldn't rush to the UNHCR trucks to be repatriated in 1992–1993, but would opt to return to their homes-of-origin at a time of their own choosing, or when the Thai army so desired.

### 2.2.2 Reasons to Delay the Return Home

Three main reasons may be noted to explain belated returns to Ratanakiri: First, agreements with the Thai authorities, notably the army; second, fear of reprisals, and third the weakening Khmer Rouge power and the depletion of their ranks.

The field survey of May 2001 was conducted in Ratanakiri Province (in Banlung, Bokeo, Lumphat, O'Chum, Veunsai, and O'Yadao Districts). Ratanakiri is still a marginal province, with remote highlands endowed with rich environmental resources. Together with Mondolkiri Province, it forms the sparsely populated Northeast Region (with only 9 inhabitants per km² in 1998), identified with its largely ethnic minority population. All individuals interviewed for the sample had been repatriated to Cambodia in 1999 from Phu Noi camp, located close to the northern border of Cambodia. As mentioned above, all came from families native to Ratanakiri and were ethnic Tampuan; they were former combatants who first joined the Khmer Rouge ranks in the 1970s—very likely of their own free will. Those Tampuan families had been absent from their homeland, in come cases, for more than two decades.

In the course of this field survey, several reasons emerged appeared to explain most of the belated returns of Tampuan—the reasons being more or less intertwined, depending on individual itineraries. Again, we must insist that our intention is **not** to posit a correlation between the Tampuan *ethnos* and the Khmer Rouge ideology; there is no evidence whatsoever to prove such an assertion. Not all the Tampuan are the same and we must reiterate that, like the rest of the populations in the country, they suffered equally and that many of them lost their lives during the Khmer Rouge period.

## 3 The Tampuan Situation at the Closing of the UNBRO Camps

The Tampuan were not forced to cross the border when the UNBRO camps closed down in 1992–1993. Since the Thai military High Command was well connected

with the Khmer Rouge movement and supported its political organization from the beginning, connivances and collusions in the early 1990s provided the Tampuan (but not only the Tampuan) with special treatment, enduring long after the conflict.

More than the central Thai government, the Thai military High Command was the real master of the border regions. So it was that the army tolerated Tampuan as well as ethnic Brao on Thai territory, as presumed comrades of the Khmer Rouge, long after the UNBRO camps closed down. During the 1980s, some Tampuan temporarily settled along the Khmer side of the border, inside a liberated area, but most of them felt less vulnerable on the Thai side. Moreover, most Tampuan were convinced that they would have to discover a new place to settle, or at least find lands favourable to their tradition of swidden agriculture, whenever they did decide to return to Ratanakiri. In fact, it is true that—until recently—internal Khmer migrations to Ratanakiri were still mainly restricted to the Sesan and Srepok valleys and their tributaries (Berg 2000; Guérin et al. 2003); at that time (in contrast to the present situation in 2008) the competition for land was not so intense and it was possible to find land somewhere else, most of the time in one's original village. The highlands of Ratanakiri are still riddled with UXO—scattered widely during the US bombing—however, this region has relatively few land mines, compared to other parts of the country (an exception would be, e.g., National Road 19 toward the Vietnamese border).

### 3.1 Khmer Rouge Orders to Remain in Thailand, ca. 1993

After the signing of the peace agreements in 1991, the Khmer Rouge boycotted the general elections planned for 1993, severely hindering the ceasefire process. Subsequently, a very high level of insecurity ensued until 1995.

The Tampuan surveyed (who had been residing in Thailand at that time) comprised a sort of reservist group, to be easily deployed by Khmer Rouge forces if needed. No exact number of people can be mentioned and it not sure at all that they were exclusively Tampuan. One can guess that there were probably other ethnic groups involved, including Khmers. While they were cultivating dry lands in the forest not far from the border, they took the opportunity to take part, from time to time, in guerrilla warfare assignments.

As long as the Khmer Rouge faction represented a major opposition force, it was in the interest of the Tampuan residing in Thailand to remain faithful to the movement—rather than run the risk of reprisals in returning home. Even if such reprisal killings were not so often feared once settled in Ratanakiri, they were a real concern in transit from the border to the province.

Moreover, as part of a multiethnic population comprised of groups occupying a vaguely defined sub-region along the borders of Cambodia, Laos and Vietnam, their

conception of territory is quite different from the Khmers of the lowlands. National borders never represented a real boundary for them.

### 3.2 The Weakening of Khmer Rouge Control

The death of Pol Pot in 1998 and the fall of the Anlong Veng stronghold may have favoured the gathering of the Tampuan near the Phu Noi camp thereafter, but it was not the direct cause. Actually, since the early 1980s the Tampuan seem to have kept a significant distance from the Khmer Rouge command; although we cannot say this of each and every one of them, clearly the great majority distanced themselves as much as was possible. At the same time, they did not have the slightest intention either to accept the national reconciliation policy or to join the Cambodian army (as so many Khmer Rouge soldiers did).

While many Tampuan fought on the Khmer Rouge side in the early 1970s, they were not Khmer Rouge veterans, strictly speaking, nor had they ever been revolutionaries by conviction. Very proud of their freedom to move and to act independently, guerrilla warfare represented little more than a peculiar episode in their lives; a step perceived as necessary or at least unavoidable.

The more the Khmer Rouge command disintegrated, the less useful the Tampuan became as combatants. This was not unique to the Tampuan: it sounds as if they all did the same thing at the same time. Correspondingly, the rise of a national reconciliation policy would provide the possibility for them to return home without being considered enemies. In any case, the people surveyed maintained that neither the local authorities nor the Thai army forced them to go back to Cambodia. They came back of their own free will. By joining the refugee camp at Phu Noi, they grasped a double-opportunity:

- A *health opportunity*, because they knew they would benefit from food rations and health care available in the camp.
- A *logistical opportunity* to be involved in an organized repatriation that would bring them back to their homeland and not simply to a reception centre in the Western region, nor to Phnom Penh (as happened in 1992–1993).

Nevertheless, the Tampuan surveyed (who had fought for the previous thirty years) returned to Ratanakiri without the UNHCR convoys. We can presume that our sample is not representative of the whole of the Tampuan who fought during the same period (Frédéric Bourdier identified three of them who had benefited from both Red Cross support and the UNHCR convoys, in a village in O'Chum district) but they must nonetheless remain significant as an indicative sample. Therefore, the

respondents didn't benefit from any reintegration package, nor food rations after resettlement (400 days' assistance). Moreover, these returnees kept their distinctive military regalia, probably having received them long before.

## 4. On the Way to Reintegration

In most cases, Tampuan returnees went straight back to the native villages of their wives, or at least to the same district as some relatives of the wife's side of the family could be found in, regardless of the ethnic group (Tampuan, Jarai, Lao and Khmer were all in this sample). What has been observed thereafter by Frédéric Bourdier in Tampuan villages (of Bokeo and O'Chum districts) reveals that in cases where the husband originates from a village other than that of his wife, the couple would return, if possible, close to the village associated with the wife, if there were any family members still living. This tendency is evidently supported by cultural traditions of matrilocality.

In one village, two cases could be identified wherein a man had brought his wife and children to his own home village because of strong family support and the woman's lack of desire to settle down in the town of her origin, still associated with past nightmares (Frédéric Bourdier, personal information, 2008).

In 2001, the families surveyed had settled down less than two years earlier. Most hadn't yet explored new lands in the surrounding forest as prospects for shifting cultivation, preferring to focus their agricultural activities around their new houses. Other Tampuan carried out mixed farming activities on very small dry-paddy plots. Usually, the surface area under fixed cultivation was less than half a hectare, sown with maize, marrow squash, groundnuts, banana trees and a few young coconut trees.

At the time, the income from the harvest was not sufficient for most, except for former soldiers who grew more valuable crops like soy-beans and cashew-nut trees on very small plots of land. The standard of living was low compared to the national average in rural Cambodia, but it appeared equal to one of the poorest Western border districts (widely affected by land mines). The major difference between simple civilians and former soldiers was evident in their housing: the former lived in straw huts while the latter lived in wooden houses with tin roofs. In the field, it was evident that the Tampuan who took active part in conflicts and had connections with the Thai army had a wealthier standard of living upon their return. Such an assertion may appear a bit unclear to the lector and we recognise that the issue of the arising of such social inequalities—a least through personal trajectories—deserves further attention in another enquiry. For many of the Tampuan, at that stage it was really too early to think further afield as to the impact of their reintegration, their ability

to adapt (on returning home after twenty years' absence) or how they would reduce their economic vulnerability.

Nevertheless we can assume that the success of this reintegration will be realized trough the self-sufficient cultivation of their own lands, and itinerant shifting-cultivation in the forest. The Tampuan surveyed were quite proud of their freedom to move, to act, and to manage their own working hours. A few of them previously tried to be workers on rubber plantations in Ratanakiri (such as Labansiek, east of Banlung) but they didn't really succeeded because the regularity of required tasks was too strict for them.

As far as the former soldiers are concerned, they were still engaged—like those in the other border regions of Cambodia—in commercial cultivation and smuggling activities with Thailand, Vietnam and Laos, as before. For them "reintegration" posed no specific difficulty. If, in some villages, they comprised a separate community (still domineering toward the other villagers) it must be recognized that in most of these villages (according to personal information given by Frédéric Bourdier, 2008) they are just like the others, and work in the same way (sometimes, it is true with, more pugnacity), performing the same rituals and field ceremonies together with their relatives, neighbours and friends. In general, former soldiers join in with the whole community whenever religious, political or social events take place.

Lôk P.M. and Lôksrey S.S.M. are Khmer, 45 and 42 years old respectively in 2001, and have four children. The wife is from Phum Deilo, a green village across the Srepok River; her husband is from Kandal Province in the South (Sa'ang district). He joined the Khmer Rouge ranks in 1975 and stayed under their command until 1982. After the Vietnamese invasion, he withdrew with his brothers-in-arms toward the northern border around the Khmer Rouge base of Anlong Veng. He left their ranks in 1982 but, despite this, until 1987 he remained very close to the local Khmer Rouge forces (very likely by his own free will) along the Khmer side of the border. He then crossed the border to work in paddy cultivation in Ubon region (Sisaket Province). Like his Tampuan compatriots, he decided to join the Phu Noi camp in 1999, just in order to benefit from assisted repatriation to his homeland. He met his spouse at Phu Noi; they returned together and decided to settle down in the wife's native village in Lumphat District—in accordance with the matrilocal tradition. During the civil war, she was incorporated into a Khmer Rouge farming brigade of young girls. She followed the strategic withdrawal of the Khmer Rouge troops to Anlong Veng in 1979, staying about ten years along the Khmer side of the border (Tonle Ropoev region). She settled in Sisaket Province, working as a day labourer on a small Thai farm. When she heard about the assisted repatriation proposed by the UNHCR, she joined Phu Noi camp to prepare to come back to her homeland. At the time of the survey, this Khmer

family was cultivating 2 hectares of dry paddy land, vegetables and several cashew trees. Interview in Deilo village, Lumphat District, Ratanakiri Province (cf. figure 2, itinerary)

In resettlement terms, according to data based on the field survey of 2001, there is no significant difference between ethnic Tampuan and ethnic Khmers from Ratanakiri Province. However, at this time there was a clear disjunction between the former soldiers and the others—whatever their ethnicity. Former soldiers had always the highest standard of living among the returnees.

## 5. Conclusion

To begin with, even if we must be careful about such assumptions, we may posit that the Tampuan ethnic minority have endured the influence and manipulation of the Khmer Rouge faction from a very early date in the conflict. Nevertheless, Tampuan freedom fighters maintained—as far as possible—their traditional autonomy from the Khmer Rouge command and also remained at a distance from the different protagonists in the border humanitarian assistance system. In this respect, we have raised more, new questions, opening a gate for further research to be done, rather than definitive answers. Can we claim that some of the Tampuan chose the positions they adopted and usually thought of each position as an opportunity, despite the distinction between military and civilian commands? Can we can reasonably assume that the temporary alliance with the Khmer Rouge forces was understood as a sort of "mercenary" arrangement? If yes, what meaning should be given to this strategy?

What we can assume more definitely is that they continued thinking in the short-term and never entirely lost sight of their main goal: to preserve their own interests rather than to adhere to any political or a military commitment (established by any authority, or in the name of any group other than their own ethnic group). They followed the Khmer Rouge towards the border in order to avoid the Vietnamese soldiers. They benefited from the privileged relationship between the Khmer Rouge and the Thai army in order to remain in Thailand, only coming back to Cambodia once the political situation had shifted in favour of national reconciliation. At that point, they generally chose to use the UNHCR structure in order to sustain their families and to expedite their return home. Their ability to move freely throughout the mountainous territory in question and their instinctive intelligence for adapting their behaviour to changing circumstances kept the Tampuan as free as possible during three decades conflict.

Needless to say, one of the main drawbacks of such a study would be to give the implicit impression that there was "something" about the Tampuan that drove them

toward the Khmer Rouge ideology (before, during or after). Nor is it acceptable to imply that the Tampuan have a particular (cultural) way of thinking that facilitated such a political indoctrination. Obviously, our findings do not at all tend in that direction.

Among the Tampuan, like so many of the other populations we found living in Cambodia, there were some people who had been manipulated at the beginning of this history, who had started "believing in" the rhetoric whispered in the late sixties by Ieng Sary and others who visited the province (in Andong Meas District, for instance). Some of them had, if only intermittently, been ideologically influenced, starting in the sixties; however, more and more peoples from Ratanakiri (and a similar evolution may have taken place in other provinces with Khmers) were put under direct pressure to follow the Khmer Rouge in praxis. Death became the only response given to those in Ratanakiri who started to put Khmer Rouge ideology into question, at least after 1972 (Frédéric Bourdier, personal information, 2008). After 1979, many of them had no choice but to follow the Khmer Rouge geographically, too, following them to places they had no desire to go.

Ultimately, one has to remember that nothing could be further from the Khmer Rouge ideology than the Tampuan way of life, perhaps with an exception for the illusionary expectation of a non-hierarchical society that (contrary to the initial slogans formulated at the beginning, in the 1960s, to attract the indigenous populations) resulted in the Khmer Rouge re-establishing a hierarchical authority, harsher than ever (Frédéric Bourdier, personal information, 2008).

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## Chapter 7

# Migration and Development: Migration Patterns of the Hmong in Vietnam through History

**Nguyen Tran Lam**

The Northern Mountain Region of Vietnam (NMR) is home to more than 30 different ethnic groups and is characterized by very high levels of ecological and social diversity, as well as a rapid but unevenly distributed process of change (Rambo, 1997; Jamieson *et al*., 1998). The special feature of the NMR is that it has a very long history of migration, and my ongoing work is a historical study and trying to describe the way migration affects the development of this area, and the livelihoods of the ethnic minorities living there. Using this historical approach to migration may help to take us away from the sedentary bias of development studies to understand migration as a central aspect of rural development (Mcdowell and De Haan, 1997; De Haan, 2002). In Vietnam, historians point to four major periods in recent history with distinct patterns of population mobility:

- The French colonial period 1859–1954.
- The Indochina War from 1954–1975.
- The post-war reconstruction period 1975–1986.
- The post Renovation period 1986 to date.

Although some authors have studied migration issues in these historical periods (Dang *et al*., 1997; Hardy, 2003; Desbarats, 1987; Dery, 2000), little is known about migration dynamics among ethnic minorities in the NMR and how its migration forms have changed over time.

In this paper, I analyse the relationships between migration and livelihood in the context of social changes in the NMR, focusing on one of its ethnic groups—the Hmong people. The study draws on both a review of the literature and ethnography conducted in the NMR between 2002 and 2004; intermittent trips to the NMR and

Central Highlands followed thereafter during 2005–2006. Ethnographic interviews were held with 92 indigenous villagers: 68 were Hmong living in 8 communes across seven districts of six provinces (Ha Giang, Yen Bai, Son La, Dien Bien, Nghe An, and Dac Lac). Additional interviews included village, commune, district, provincial, and national level authorities in various ministries, departments, and mass organizations. The researchers and staff of international development projects were also interviewed. Importantly, interviews were held with 8 geologists who provided interesting data about historical migrations among ethnic minorities. The paper is structured as follows: after the introduction, I analyze some academic debates that deal with the development-livelihood-migration relationships. Next, I describe different patterns of migration among the Hmong in the four historical periods of Vietnam, dating back from the colonial period up to date. Then five case studies of the districts occupied by the Hmong are presented. The last session concludes. Throughout the paper, attention is paid to the varied trends and patterns of migration at the individual and household levels and the underlying factors contributing to these variations and changes. Geographically, my analysis focuses on the NMR, while some contexts in the Central Highlands are also compared. Chronologically, emphasis is put more on post Renovation period.

## 1. Migration and Livelihood

Migration plays a significant role in the livelihood of poor people, yet little attention is paid to the nature of this relationship in the context of social change. Under pressures from globalization, securing a livelihood has become increasingly multidimensional (Carney, 1999; Ellis, 2000; Scoones, 1998), with an increasing rearrangement of strategies using various forms of capital, and in different locations (De Haan and Zoomers, 2003; Kaag *et al*., 2003). Individualization is instantiated by more and more households break up. Poor people nowadays are not only involved in multiple economic activities, but are increasingly moving between multiple areas to work. The ability of people to cope with social change is often determined by geographical factors (sites and situations). Often, people in resource-rich places (especially if they are well connected to the global marketplace) are in a position to benefit, yet the majority of the poor are located in resource-poor places, that are in marginal and isolated areas. The only way to benefit from global opportunities is to break up and diversify their economic activities (Ellis, 2000), to enable them to perform multiple economic activities and live in different places.

For the majority of the poor, having a personal relationship with people at various locations has become a key element for their ability to cope with change, and establish a secure livelihood either within their country or abroad, even if this means giving

up their traditional cultural practices (Winkels and Adger, 2002; Hardy, 2003; De Haan and Zoomers, 2003). Such migration dynamics may affect local development and people's livelihood and shape people's reactions towards change (Ballard, 1983; Skeldon, 1997; De Haan, 2000).

### 1.1 The Context of Migration in the Northern Mountain Region

Worldwide there are more than six millions Hmong living in different countries. In Vietnam, about 780,000 Hmong are living in 13 provinces (2004). The table below shows the Hmong population of ten provinces in the National Census 1999. The Hmong in Vietnam live in the so called 'Region III', in the poorest areas according to the government classification. Based on geographical and socio-economic condition, mountainous and remote areas are divided into 3 regions by the Government: Region I is urban areas (center); Region II: villages near urban and highways; Region III: villages farther from the urban center with difficult socio-economic conditions

**Table 1: Hmong populations in their most concentrated provinces (1999)**

| Province | Hmong population | Province | Hmong population |
|---|---|---|---|
| Ha Giang | 183.994 | Tuyen Quang | 14.658 |
| Lai Chau | 170.460 | Hoa Binh | 3962 |
| Lao Cai | 123.778 | Cao Bang | 41.737 |
| Son La | 114.578 | Nghe An | 26.045 |
| Yen Bai | 60.736 | Daklak | 10891 |

**Source:** National Census 1999

Throughout history, the Hmong in Vietnam have been known by different names: *Man, Miao, Meo, Mong* and *Hmong.* The Hmong language belongs to the Hmong-Zdao linguistic group, a branch of the Sino-Tibetan family. There are six branches of the Hmong family, including: the Hmong Dau (the White Hmong), the Hmong Si (the Red Hmong), the Hmong Du (the Black Hmong), the Hmong Sua (the Mixed Hmong), the Hmong Linh (Flower Hmong), and the Na Meo (the Water Hmong). These Hmong sub-groups can be differentiated by their dress, language, customs, and the architecture of their homes. Although this distinction is not made in official statistics, it does play an important role in social affairs.

Hmong social structure has been described by most researchers as one characterized by patrilineal descent groups (clans), virilocal or patrilocal residence, and a preference for matrilateral cross-cousin marriage. The number of Hmong

family names hardly exceeds 20 throughout the whole country, with the most common ones being Giang, Vang, Vu, Thao and Nua (Lam Tam, 1972). Religious rituals, such as weddings, funerals, and new house ceremonies, are considered as a sharing responsibility of all clan members. For example, "*Tu Su*", "*Sau Su*", and "*Thi Su*" are three important rituals that signify the cohesion among the Hmong. During these ceremonies, members of the same clan gather around the communal house, give their contributions, and share event tasks. The village elders and family clan's chiefs are very important and they not only influence the enforcement of customary laws and cultural life of the village but they also play a decisive role in the management of land and natural resources, of development of production and even migration.

Hmong are pantheists—believing in a variety of natural and supernatural spiritual forces (Tapp, 1989:59). For them, death is simply the passage from this world to another world, the migration of the soul of the deceased from his body to another body. In the Hmong's cosmology, three different worlds exist: the higher world where heaven is and the souls of people dying a natural death (death from old age or illness); the middle world, that of mankind; and the lower world where the souls of people dying from accidents are confined (including cases as diverse as those struck by lightning, killed by drowning, a snakebite, a tiger's attack, or a blow dealt by another man). The soul, in the course of its migration, finds itself at the crossroads of the different worlds, and so it is the duty of the *txi nenh* (Hmong shaman) to act as a guide.

According to Hmong legend, human settlement is arranged by God in which the highland is for Hmong, the lowland for the Viet, and the midland for the Tay. The history of their migration is written in the funeral song called *Khua Ke*, which shows the dead the way leading from the Land of Light (*yang*) to the ancestors' Land of Shadows (*yin*) (Giang Seo Ga, 2005: 27).

Hmong settlement patterns are characterized by geographical, spiritual and habitual features. Hmong villages cling to the mountain slopes where the configuration of the ground must necessarily determine the orientation of the house: leaning against the mountain and facing the valley. The choice of a new place for the village was dependent on the proximity of the bush (the indispensable agricultural requirement for the practice of slash-and-burn cultivation), the existence of streams, and a mountain flank that should not slope too steeply, and the absence of tombs or certain kinds of trees considered to be haunted. With those conditions fulfilled, the clan chieftain and the cult master go to the chosen place to consult the spirits of the forest, the mountain and the earth by means of bamboo strings or of rice, and also by oneiromancy. The rite could be repeated up to three times; if, on the last time, the spirits proved to still be unfavorable, the Hmong looked for another place. Once

the place is chosen, they assert their rights as the first occupiers by planting a few forks into the ground or by rapidly clearing the spot of brushwood.

As the Hmong mostly carry on shifting cultivation on burned clearings, their villages are not fixed but are moved to another region once the soil has been exhausted. In the old days villages were frequently moved to other sites due to natural calamities and epizootic diseases, in which the Hmong saw the baneful action of the spirits. Another pull factor for a new settlement is poppy. Historically, the Hmong is considered the ethnic group that has grown poppy crops on the acreage larger than other groups in Vietnam (Dang, 1978: 296). William Geddes (1976) found that Hmong decide where to live and with whom to associate based on the availability of land for cultivation of the opium poppy, and secondarily, for rice.

The earliest arrival of Hmong in Indochina is not definite, but 1750 is a credible date (Culas & Michaud, 2004: 72). The Hmong entered North Vietnam very late, when the fertile valleys and the middle altitudes had been occupied by other ethnic groups. They were then obliged to settle on heights ranging from 800 m to 2,000 m. According to Vietnamese ethnologists (Lam Tam, 1972; Dien 2002; Son 2005) the Hmong came to Vietnam in three waves. The first wave dates back 14 or 15 generations ago, numbering about 80 families coming from Kweichow (Southern China) before entering Dong Van and Meo Vac (Ha Giang). The second wave dates back nine or ten generations ago. It took two different roads: about 100 families entered Ha Giang and settled at Dong Van, Meo Vac and Hoang Su Phi; another 80 families entered Lao Cai and settled at Si Ma Cai and Bac Ha district, before going farther into the Northwest. All of these 180 families also came from Kweichow. The last wave included more than 10,000 Hmong of the Chinese provinces of Kweichow, Yunnan and Kwangsi, having taken part in the Taiping movement against the Ching dynasty, fled to Vietnam after the bloody repression of 1868. They settled in the provinces of Ha Giang, Lao Cai, Lai Chau, Son La, and Nghia Lo, before going farther south (Hoa Binh, Thanh Hoa and Nghe An). Since then the Hmong in China had continued to migrate into Vietnam until 1954 but in a rather sporadic way (Mai Quang, 1968; Lam Tam, 1972).

The Chinese origin of this group is still reflected in the arrangement of the altars seen today in each Hmong house in Dong Van and Meo Vac. The ancestors' altar, always placed in the central location against the back wall, is simply a rectangle-shaped paper made of the bark of *cay zo*, most often colored red. It bears some Chinese ideograms and is adorned with three feathers of a cock. The second sign of the Chinese origin is the flag on the front door of each Hmong house, which is considered the Hmong flag. Old people in Meo Vac explain that upon arrival in Vietnam, the big flag is torn into pieces, which is then distributed to each Hmong so that they can recognize each other wherever in the world. The last sign is reflected by the Chinese Han names of today's villages occupied by the Hmong, such as Si Ma Cai (new horse street); Lao Chai (old

village); Sin Chai (new village), and Ta Phin (large plateau). I also observed that Hmong people pronounce Chinese words more easily than they do Viet words.

### 1.2 Migration during the French Colonial Period (1859–1954)

The French policy for Vietnamese minorities and the operations of French Catholic missions in Colonial Upper Tonkin has been written by Michaud (2000, 2004) and Salemink (1995). The last wave of the Hmong immigration corresponded with the period of the war launched by France against feudal Vietnam. French armies occupied three provinces of Southern Vietnam (Cochinchina) in 1859–1862, the remainder of the Mekong estuary in 1867 and central northern Vietnam in 1883–1885; Pacification gradually made headway: in the delta from 1890–1892 and in the mountains from 1895–1900 (Chesneaux, 1955:66)

Under colonial domination, Hmong society went through a very unequal development process owing to the scattering of the settlements and to the difference in their livelihood conditions. While the Hmong of Ha Giang already led a sedentary life, the Hmong in Nghia Lo combined shifting cultivation with terraced rice fields; the Hmong in Nghe An and Thanh Hoa still practiced shifting cultivation on burn-out clearings (Lam Tam, 1972). For all Hmong, however, poppy farming was a mainstay; opium trading was widespread, although this was within a limited radius of action around their own areas of settlement. (UNODC, 2003: 47).

The Hmong of the Northeast had to bow to the rule of the *Tho Ty* (or *Tay*), *Nung* and *Lolo* despots, while their ethnic brothers of the Northwest were dependent on the *phia tao* or *Thai* local despots (Lam Tam, 1972). Living under the yoke of the French administrators and local chiefs, the Hmong did not submit themselves to the oppressors. During the 40 years preceding the August 1945 Revolution, the French colonialists had to face at least seven Hmong revolts which broke out in 1904, 1911, 1917, 1925, 1930, 1936 and 1943, the most important being those of 1911 and 1917. The 1911 Hmong revolt took place in Dong Van under the lead of a poor local peasant Sung Mi Chang. This is the consequence of interethnic conflicts and colonial monopoly policy in the commerce of salt and opium and restrictions in poppy cultivation (Lam Tam, 1972; UNODC, 2003). The 1917 uprising, motivated by almost the same factors, took on much greater dimensions and was to last until 1922. Directed by Vu A Chay, it set ablaze the provinces of the Northwest (Lai Chau, Son La and Nghia Lo), reached those of Yen Bai, Lao Cai and Ha Giang, and extended to the *Meo* settlements in Laos, also placed under French Protectorate. The insurgents achieved important victories in 1919, chiefly in the Dien Bien Phu valley. Towards the end of 1920, the Hmong succeeded in controlling an immense region of 40,000 km², including the whole of the Northwest of Vietnam and a part of upper Laos (Lam Tam, 1972).

During 1940s, the Hmong and other ethnic groups in Northern Tonkin had to bear the impact of The Second Sino-Japanese War (1937–1945), the largest Asian war in the twentieth century. In the autumn of 1940, the French colonial government had to confront different revolts. At the Chinese border, various gangs, notably Vietnamese partisans of Prince Cuong De (1882–1951), attacked French outposts, killing isolated soldiers and local notables. With Japanese support these gangs freely plundered the population and villages. On both sides of the frontier, people were struck with panic, and left their villages to live in the forests (Ba, 1968:7). The French colonists had then capitulated to the Japanese, but mustered their forces to fight the insurgents: in 1941, around 4,000 troops launched sweeps through the region for 8 months on end; many militants were arrested or killed and many villages burnt down or razed (Mai Quang, 1968:10). French columns were making their way to China fighting against the Japanese as well as illness (Jackson, 1969:317).

Because of the war's impact, the Great Famine of 1945 (*Nạn đói Ất Dậu*) and epidemics in Northern Vietnam broke out, leading to the death of at least one million people. The highland laborers suffering from the famine and diseases were overburdened by a massive immigration of lowland farmers who were driven by famine to thus rush to the NMR, hoping only to survive. People had to live on wild vegetables or use bamboo ashes as a substitute; among some tribes, a bit of rock-salt was carefully kept in the house for the family to lick after each meal. Epidemics of malaria, cholera, small-pox, tuberculosis, leprosy, and syphilis were rampant. Broncho-pneumonia and intestinal diseases caused catastrophic infant mortality.

## 2. Patterns of Hmong Migration

The launching of the war of reconquest by the French colonialists then compelled Vietnam to engage in nine years (1946–1954) of armed liberation struggle. When French forces successfully established themselves in the Red River Delta in 1946–1947, the Vietminh as a tactical maneuver allied itself with the sympathetic NMR. Some of the Vietminh's crack infantry divisions were recruited almost exclusively from the NMR; thus a policy of limited self-government began to evolve as early as 1946; and reached its final stages after Geneva armistice in 1954 (Jackson, 1969:317–319). Millions of peasants thus participated in guerilla warfare, joined the army, or worked as volunteers for the supply of the front. Ardent patriots, the Hmong took an active part in the August 1945 Revolution, then in the 1946–1954 war. The Hmong played an outstanding role in the liberation of the Northwest where their solid guerilla bases, scattered on the steepest heights, served as bases for the People's Army. Many of their names have become famous in the history of the first

resistance (Michaud, 2004: 76–79) such as Pu Nhung, Ta Sin Thang (Lai Chau), Long He, Nam Khat (Son La), Tram Tau, Than Uyen (Nghia Lo).

Other Hmong had to move to nearby provinces bordering Laos, such as Dien Bien, Son La, Nghe An, as a response to the war and the high taxes imposed by the French on opium. The tax level was said to be heavier than those in Indonesia, India, Malaysia, and Japan (Popkin, 1976). Another pattern of migration had emerged since the 1940s, yet little mentioned was the first flow of NMR people moving south to the Central Highlands (Tay Nguyen), including Han, Thai, Tay, Nung, Dao, Hmong, the total of these northern migrants then took up only 5% of Tay Nguyen population (IOE, 2005). The reasons behind this flow were possibly due to the war, famine, and epidemics along the border with China.

### 2.1 Migration during the Second Indochina War (1954–1975)

In 1954, following the departure of the French, Vietnam was partitioned into two parts: the North and the South. Population movements in this period were thus greatly influenced by the different political ideologies of the two regimes. For the ethnic minorities and the Hmong in the NMR, six factors affected their livelihood and mobility especially, including: the land reform (1953–1956), the establishment of autonomous zones (1955–1956), the agricultural collectivization (started 1956), the in-migration policy (started 1958), the sedentary policy (started 1964); and the large-scale arrival of US troops (1968). For purposes of more centralized administration and security, two autonomous zones were set up between 1955 and 1956. The Thai Meo Autonomous Region, founded on May 7, I955, date of the 1st anniversary of the Dien Bien Phu victory, embraces the four provinces of Son La, Lai Chau, Lao Cai, and Yen Bai. Covering an area of 19,000 sq. miles (one-third of that of North Vietnam), the Zone has 500,000 inhabitants belonging to 20 different ethnic groups, the greater portion belong to the Thai and the Hmong (Jackson, 1969: 321). One year later (August 19, 1956), the Viet Bac Autonomous Region was set up, comprising the five northeastern provinces: Lang Son, Cao Bang, Ha Giang, Tuyen Quang, and Bac Thai. Its population, totaling 1,510,000 people, belongs to 14 different ethnic groups, the largest being the Tay and the Nung; and about 100,000 Hmong (Mai Quang, 1968). With the creation of these zones, the Hmong organized themselves into 11 separate districts (Lam Tam, 1972).

### 2.2 Migrating Abroad

During French colonial rule, numerous Hmong sided with Vietminh but a smaller portion of Hmong collaborated with the French. After the 1954 armistice, a number

of these pro- French Hmong from the east of the Red River valley fled to Laos, following the wave of pro-French Tai to the same destination. These Hmong (and Tai) fleeing to Laos, later, in 1975 were among the first to flee from Laos to seek refuge in Thailand (Culas and Michaud, 2004: 78). The migration of the Hmong living in Dien Bien and Son La to Laos went on until the 1990s in a sporadic way.

### 2.3 The Triple Policy and the Mobility of the Hmong

Right after the Land Reform aimed to abolish landlordism and distribute the land to peasant smallholders, agricultural collectivization in the north started in late 1956 with first labor exchange brigades established, then small cooperatives consolidated into larger ones. By the end of 1961, 70 percent of highland farmers had joined the cooperatives (Quang Canh, 1968). In Hmong concentrated areas such as Ha Giang, Yen Bai, Lao Cai, the village cooperatives were set up during 1960s when the highlanders had taken over from the local chiefs the management of public affairs. The state then gave highlanders access to paddy land but nationalized sloping land and limited villages' use of the forest land. The shifting cultivators such as Hmong and Dao were thus restricted in the use of their favourite agricultural techniques (requiring periodic migration).

In parallel with the collectivization process, the government began to launch the in-migration policy via the 3 year plan (1958–1960), then the first five-year plan (1961–1965) by moving lowlanders, mainly Kinh, from densely populated areas of the Red River Delta to the sparsely inhabited upland provinces in the North, through the establishment of New Economic Zones (NEZ). These NEZ were large-scale projects in which teams of labourers were sent to clear the jungle with bulldozers and build roads and houses; then peasants were brought in and given land. One reason for the establishment of these zones was the country's uneven population distribution: of Vietnam's 30.5 million inhabitants in 1962 (16.5 million in the north and 14 million in the south), close to 29 million lived on about 20% of the national territory, while the remainder (mostly ethnic minorities) roam over more than 100,000 square miles of plateau and mountain areas (Jackson, 1969:314).

To attract lowland migrants, many State Forestry Enterprises were formed in the highlands and concentrated on crops such as rubber, coffee or oranges. One million migrants were sent to the NMR between 1961–1966, according to De Koninck (2000: 15). Since then more than 300,000 Hmong in the NMR began to receive (and interact with) lowlanders who came to "clear the wilderness" (*khai hoang*). In the two districts of Bat Sat (Lao Cai) and Mai Chau (Son La), for example, thousands of Kinh people, both cadres and peasants, from Nam Dinh arrived during 1962–1964. The in-migration policy, under the name of the NEZ

program, could have a more profound effect on Vietnam than any other events in the 20th century (Pike, 1978:71)

Six years after the launching of the in-migration policy, in 1964 the government went ahead with sedentary policy, aiming to resettle "nomadic tribes" practicing shifting cultivation under state control, and to introduce permanent agriculture (UNHCR, 2002). This policy was based on the euphemism that shifting cultivation (*du canh du cu*) is a primitive and backward agricultural technology, harmful to the environment. Thus the Hmong swiddeners, labelled as environmentally destructive, had experienced a new period of *ha son* (moving down to the lowland). The program was intensified by Resolution 71/TW detailing the Fixed Cultivation and Settlement programme (dinh canh dinh cu) in 1968. Until 1972, about 70% of the shifting cultivators were sedentarised at lower altitudes, with majority being the Hmong who were said very adaptable once resettled (Kahin, 1972:583).

### 2.4 The Impact of the Triple Policy

While the mixing and interactions of the Hmong with other ethnic minority groups who lived in the valleys—such as the Tay, Nung, Thai and Muong—became more intensified as the result of the *hason* policy and NEZ policies. An even greater impact of the triple policy (collectivization, in-migration and sedentarisation) has been land conflict, for several reasons. First, as cooperatives were formed there was a natural tension between poorer peasants who wanted the crops to be divided among the members in proportion to the amount of work each family did, and wealthier ones who wanted those families who had contributed more land and draft animals to the cooperative to get a larger share of the crops (Moise, 1976:88). Second, the policies are at odds with Hmong customary laws over land use rights. Among the Hmong, any person who is not a member of the kinship groups has no rights to infringe on the land, and those who do not respect customary law can be excluded from the group and its land (Corlin, 2004: 306) while land belongs to those who cleared it or those who are inherited from ancestors. As the in-migration and sedentary policy became enacted, such traditional land rights were not recognized; forestland was returned to the State and farmland was unequally redistributed to new settlers, including Hmong, Tay, Kinh, and others.

As a result, in the areas occupied both by Hmong and Tay, such as Cao Bang or Langson, a series of land conflicts arose: as Tay farmers repossessed the land that their forefathers had contributed to the cooperatives, Hmong groups (and the Zdao) were left without paddy fields. Another similar case has been documented among the Hmong in Hagiang (Lam, 2007). Additionally, such conflicts also broke out between the Hmong and the Kinh authorities (Forest Protection Unit, Agriculture and

Cadastral, Forest Enterprise, Commune People's Committee) who were involved in the decision making process for land allocation, and in the Hmong view, had "eaten their land", violating their ancestors' and spirits' rule. The land conflict was fired by relational tensions from the past, in which the Hmong distrusted the lowland Vietnamese, viewing them as foreigners (Jackson, 1969:315). These conflicts and the resultant distrust were the key factors for the massive movement to the Central Highlands at a later stage.

### 2.5 The Arrival of US Troops and the Southward Movement

After the Gulf of Tonkin Incident, on 14 June 1965, the US planes started large-scale bombing attacks against the NMR (Hop, 1967) leading to a massive campaign among ethnic groups to join the army. Between 1965 and 1973, due to the US escalation against North Vietnam, thousands of people and hundreds of industrial centers and urban factories had to retreat to rural villages and forests; the operation was called *so tan* (evacuation and dispersal). According to US sources, 10 million rural people were forced to leave their homes to avoid the bombing, artillery shelling and chemical spraying (Vien, 2004: 321). Thousands of highlanders and Hmong men became soldiers and went to the Central Highlands' battlefield in response to Party mottoes such as "all for the bloody south" and "each village is a fortress, each person is a soldier". In Hoa Binh, for example, nearly 12,000 men joined the army and more than 15,000 youths were ready to go south. Indeed, mountainous areas and their ethnic minorities played a strategic role in each of the different wars in Vietnam.

## 3. Migration during the Post-War Decade (1975–1986)

Migration patterns among highlanders and the Hmong in this period are influenced by three key factors: a) the conflicts with Cambodia in the southwest (1975–1979); b) the conflicts with China in the north (1979); and c) the resettlement policies. Four migration patterns among the Hmong are analyzed below.

### 3.1 Fleeing Abroad

Right after the historical victory on 30 April 1975, a large number of people, many from the NMR, risked boarding a boat to China, Hong Kong, Australia, the US, and other countries, a process that continued until mid 1980s. According to Amer (1991), as of September 1979, about 600,000 people had escaped by boat (excluding departures in April 1975). This refugee flow continued for several years, and by the 1980s, boarding a boat was no longer a response to specific fears or experiences

of exclusion from Vietnam's new society but an expression of hope to find better livelihood (Hardy, 2003). The impact of the exodus was great, not only leaving a deep scar in the pain of the nation but also contributing to the so-called "visions of paradise"- a tendency to respect foreign things among both movers and stayers. While data about Hmong emigrants is scarce, this is true for most highland migrants, such as the Nung living in northeast border of the NMR, who, upon arrival at the Nei Ku Chau detention camp in Hong Kong, were considered refugees with confusing or "negative identity", as illustrated by a famous quote "when in China we were Vietnamese, when in Vietnam we were Chinese" (Hutton, 1998).

### 3.2 Migration Due to War

In February 1979 the NMR became chaotic as the Vietnam-China war broke out when 600,000 Chinese troops were launched against the border provinces of Vietnam (Vien, 2004), occupying and plundering most of Hmong- presided provinces, such as Lang Son, Cao Bang, Ha Giang, and Lao Cai.

Right after the war, a large number of Hoa and other ethnic minorities left Vietnam. While number of Hmong who fled was unknown, according to Hardy (2003: 117–118), around 250,000 Vietnamese crossed the border into China; 68,748 arrived in Hong Cong alone. By April 1980, around 331,725 were found in camps throughout Southeast Asia; and a cumulative total of 839,228 in countries of first asylum by 1997 (Condominas & Pottier, 1982: 53). Meanwhile in the NMR, inter-provincial migration occurred in a large scale. Hmong people moved within their districts or migrated to neighboring provinces at Laos–Viet border, chiefly Son La and Lai Chau; others went far off border such as Thai Nguyen, Bac Giang, Hoa Binh, forming purely Hmong villages as we see today.

### 3.3 Migration within the NMR

The main objective of the post war resettlement programme was to redress the imbalance of population density both between the North and the South, and between the two Delta Regions and the mountainous areas. Between 1976 and 1980 at least 30 related migration legislations were issued to resettle the border provinces. Borderlines between provinces were rearranged, leading to numerous Hmong villages being merged with other villages to form the new ones.

The in-migration policy was continued. The ambitious plan of the government at the beginning of the 1980s was to move 10 million people by the end of the century and to reclaim five million hectares of uncultivated land for farming in the NEZs', mostly in the frontier uplands. The organized resettlement programme initiated

during wartime is continued with the Red River Delta residents being encouraged to settle in the NMR where NEZs are now functioning as a buffer zone to alleviate the country's economic crises after reunification (Desbarats, 1987; Jones & Fraser, 1982). While this campaign had partly achieved its aim, the arrivals of massive lowlanders brought about a severe population pressure for the NMR, thus pushing some ethnic groups, such as Dao and Hmong, further to higher slope. Different authors give different figures to describe the scope of this movement. According to Lam (2006a), during 1960–1979, the inflow of migrants caused an annual increase of 3.4% of population in the NMR. Over 30 years to 1989, number of Kinh immigrants had increased from 640,000 to 2, 6 million, tripling the population density in the NMR (Rambo, 1997:16–18). Between 1960 and 1996 around 6 millions people from Northern and Central lowland were resettled in the NEZs (Anh, 2006:23).

The sedentary policy or mountain-valley resettlement went on to achieve the target of settling down three million people by the year 2000 (Pholsena, 2003: 21). Having bad experience in the past, many Hmong refused to join this program and moved away, either higher into the mountains or deeper into the forests, to continue the swiddening practices they favored, beyond the authorities' control. Another migration pattern among the Hmong during this period was due to the construction of the Hoa Binh hydropower plant on the Black River, which started in November 1979 (and completed 1994; with the capacity of 1,920 MW and annual energy production of 8.4 billion kWh, equivalent to 40% of the national energy production). While it is vital to the industrialization, the project led to a relocation of 56,294 people, mainly ethnic groups (Hmong, Muong, Zdao, Thai) of 10 districts of Hoa Binh and Son La provinces. Around 11,000 hectares of arable land were flooded, and hundreds of thousands of square meters of homestead areas, offices, schools, and heath care centers and many working places were inundated. Thirty years after the relocation, today many of those settlers, including the Hmong, are still suffering negative effects of their resettlement. In Son La Province, for example, 1,000 families affected by the Hoa Binh reservoir are now under Program 1382, a program designed to help resettled families.

### 3.4 Moving Southward

After 1975, some new economic zones and state farms were established in the Central Highlands to attract a large number of migrants from the crowded provinces in the northern and the central coastal region of the country. The main objective of encouraging migration to the Central Highlands by the government is to utilize national resources to achieve economic growth and social security.

The first planned migration led to the settlement of 40,000 inhabitants in different coffee plantations in the Central Highlands (Anh, 2006: 60). However, the free or

'spontaneous' migration was much larger in scope. The period 1981–1989 witnessed the first flow of tens of thousands of Han, Thai, Tay, Nung, Dao, and Hmong from Lang Son, Cao Bang, Lao Cai, Lai Chau, Ha giang moving to the Central Highlands, or as far as Binh Phuoc, Dong Nai and Ho Chi Minh City. Often, the ethnic groups migrated in family groups or clans. My study in Lao Cai and Dak Lak (Lam, 2006b) shows five reasons for this pattern of migration among the NMR migrants:

- To avoid the Vietnam-China conflict (which in fact went on for several years after 1979).
- They had become landless due to population pressure and the resultant land conflicts during the 1970s.
- They were attracted by the abundant forests and fertile land in the Central Highlands.
- They followed the call of their relatives who had previously gone southward from 1965–1968 as soldiers or cadres.
- To reunite with their relatives who had been forced to migrate to the Central Highlands at some point since 1954.

## 4. Migration since Doi Moi (1986 to date)

Patterns of population mobility have shifted dramatically since the start of the economic renovation known as *Doi Moi*, marked by decollectivisation and land reforms. The ongoing resettlement program has become intensified and overshadowed by the growing spontaneous population flows, both rural-rural and rural-urban (Dang *et al*, 1997; Scott, 2000; Hardy, 2003). Several new policies were issued (such as Decision 116/HDBT dated 9/4/1990), the most important being the change from NEZ migration policy to project-based migration policy, under the banner of socio-economic development. As such policies and social dynamics go along new forms of mobility emerge to respond to the changing situations. Among the Hmong, eight patterns of migration could be identified.

### 4.1 Migration Due to Sedentarization

From 1986 until the present, settlement and sedentary farming of the Hmong have undergone ups and downs. For example, in the former province of Hoang Lien Son (now comprising Yen Bai, Nghia Lo and Lao Cai), by 1988, of the total 118,799 Hmong only 42,343 people had been settled down to sedentary farming. In Lai Chau Province, 85% among 4,000 Hmong households migrated to Si Pa Phin are still doing shifting cultivation. In Bac Can more than 10,000 Hmong

were sedentarised in 1999 but many returned to their native village after several months. In Thanh Hoa, the majority of more than 1,000 Hmong in Muong Lat continue shifting cultivation.

In the NMR and the Central Highlands there has been a rearrangement of border districts with the involvement of the Ministry of Defense. Combined with the sedentarization program, so called 'new settlement villages' (*ban dinh cu moi*) or "border population clusters" (*quan cu bien gioi*) are set up with the average of 20–40 households for each hamlet. In Cao Bang, for example, 4,832 households (26,470 inhabitants) had to resettle back to the Chinese border region within 7 years 1989–1996 (Anh 2006: 86)

Such new border villages are under strict control, and many ethnic groups refused to stay there. Thousands of Hmong from resettlement areas, such as Na Hy (Dien Bien), Don Den (Bac Can), Ban Ve (Nghe An), Dak Rlap (Đac Nong), Ro Men (Lam Dong) decided to return to their original villages after brief stays. Most of the interviewees complained about the small amount of state financial compensation, corruption of the local authorities, and the hard conditions in the new settlement areas.

### 4.2 Migration to the Central Highlands

Since 1990, hundreds of thousands of NMR ethnic minorities, of which 25% are Hmong, continued to move to the Central Highlands in larger waves, a process just like the Exodus of the Israelites in the Old Testament or as described by Dery (2000) "agricultural colonization". It was estimated that the Hmong took up 25% of these northern movers. The influx peaked between 1991 and 1995 and went on until now. Dak Lak is the most attractive area for these northern highlanders. In Cu Jut district, for example as of July 1997, out of 87,500 total populations 30,000 were immigrants (Lam 2006b). The Hmong population in Dak Lak has increased very rapidly: in 1979 there were no Hmong in the province; in 1989: only 8 persons; in 1999, the number went up to 10,891 (GSO, 1979, 1989 & 1999). During 1995–2005, more than 18,000 Hmong from Lai Chau, Lao Cai, Ha Giang, Cao Bang, Tuyen Quang, Bac Can migrated to this province.

Before 1990, the Hmong often went to the Central Highlands in groups, sometimes the husband went first, and then returned home to bring dependents, sometimes including the whole family, or even the whole village. However, due to policy pressure, since 2001 this pattern has changed: people tend to migrate as households or individuals (Anh, 2006; Lam, 2006b). Some studies have highlighted the negative impacts for both movers and stayers, namely: social disorder, land conflicts, deforestation, disintegration of ethnic relations, and the incidence of infectious diseases (Hardy, 2003; Xuan, 1998; Lam, 2006a).

An important point to note is that this migration pattern echoes the massive conversion to Protestantism among the Hmong nationwide, a process that started in 1989 and continues today. The Hmong may convert religions before or after traveling to the Central Highlands. This conversion among the Hmong echoes similar trends among other ethnic groups in the Central Highlands (Stieng, Mnong, Koho, Ede, Jarai) and other countries in South East and East Asia (UNHCR, 2002: 16). The followers demolished their ancestors' shrines, gave up funeral and wedding ceremonies, and threw dead people into canyons instead of burying them.

### 4.3 Fleeing to Laos and Cambodia

During the mid-1990s, about 10,000 Hmong people migrated from NMR to the Northern Lao (Lam, 2006b). Most of these Hmong are from Dien Bien, Son La, Thanh Hoa, and Nghe An, the provinces adjacent to the Laos border. Before making such decision to go abroad, these highlanders had undergone different migrations within the NMR. The reasons for their migration are simply due to lack of arable land for production and scarcity of clean water. In Huoi Moi 2 (Que Phong, Nghe An), a small commune of 32 Hmong households, twenty six families migrated to Laos within four months due to scarcity of paddy fields and water in their native village.

A similar situation is found among the Hmong living in the southwest provinces bordering with Cambodia. During 2001–2004, different waves of Hmong from Pleiku and Buon Ma Thuot crossed the border to Cambodia. This certainly relates to population pressure, chronic poverty, and the political chaos in this region since 2001 when thousands of ethnic groups in the Central Highlands (UNHCR, 2002: 19), including the Hmong migrants from the north, converted to Protestantism before their move (Lam, 2006b)

### 4.4 Migration Due to Disaster

In Vietnam, the NMR and the Central Highlands are the most disaster prone regions. Severe storms with strong wind are often engaged with heavy rains, causing river water level rising and flood. Rainy season is often accompanied by landslides, causing traffic interruptions and human tragedies. Over the last decade, such disasters tend to become increasingly complicated. Hail, whirlwind, landslide, flash flood, mud and rock flood come suddenly with unforeseen severity and scale, devastating thousands of villages mostly inhabited by ethnic minorities, causing serious losses in term of human lives, properties and ecological environment.

The historical disastrous events that affect the Hmong during the last decade include: flash floods in Lai Chau and Son La (1994, 1996, 2000, 2002); Lao Cai, Ha Giang, and Cao Bang (2000, 2001, 2002, 2004, 2005, 2007). The flood in Yen Minh (a

district of Ha Giang with 34,000 Hmong) during two days 18–19 July 2004, the biggest one in the last hundred years, had swept away the whole Du Tien commune (510 households with 2,951 persons); 45 persons missing or dead; in some Hmong families, 14 members died leaving one person alive. The devastating Typhoon Damrey of 2005, which reduced the GDP of Vietnam by 0.5%, had led to the evacuation of hundred of thousands of households in Yen Bai and Lao Cai. In Cao Bang, flood and storms during 2001–2005 caused hundreds of deaths and thousands of houses collapsed. Currently around 1,000 households in Bao Lam and Bao Lac (mostly inhabited by Hmong) still live in high risk areas for floods and landslides. In Ky Son, whirlwinds and flash floods during April–September 2005 washed away 1,000 houses and 15 irrigation works, leading to the relocation of 600 households, most of them Hmong and Khomu. In the Central Highlands, the flood of November 1996 inundated almost the entire region. Even more recent floods in August 2007 inundated 16,000 ha in Dak Lak, mostly affecting the districts of Buon Don, Chu M'ga, and Ea Sup. In Ea Sup alone, a district with highest number of Hmong migrants, the flood had washed away 6,600 ha of land and destroyed 40% irrigation works just within 3 days.

As the result of such frequent disasters, hundreds of thousands of ethnic highlanders in the NMR and the Central Highlands have had to move to new settlement areas arranged by the government. The problem for the Hmong is that, such new locations do not match with their traditional livelihood and cultural habits. In many cases, Hmong farmers refuse to move, thus accepting to live with disasters and the risk of death. My research in Ha Giang and Lao Cai show that in addition to economic losses, the bureaucratic procedures, the limited (and delayed) compensation, and corruption lead them to fall back into chronic poverty.

### 4.5 Drug and Sex-Trafficking Related Mobility

Over the last ten years crossing border has increased together with drug, sex, and human trafficking. Trans-border migration of the highlanders is common, as they often do not recognize the border demarcation. However, entering into unfamiliar world, ethnic minorities could be vulnerable to HIV through sexual transmission, or through drug use. Ethnic women are also induced into marriage markets, especially in remote areas where men can not find wives. At the Vietnam–China border, border crossings among ethnic minorities take different forms with different purposes:

- To marry Chinese men.
- To work in domestic services.
- To work as sex workers.
- To become involved in drug trafficking

Although the number of Hmong women working as sex workers is unknown, studies of proxy indicators indicate their vulnerability. A large majority of Vietnamese sex workers in Hekou (China) are illiterate and originated from Lao Cai, Hagiang, Lai chau, and Yen Bai—all provinces populated by many Hmong. These sex workers are visited by Chinese businessmen, including those from Hong Kong, Singapore, Malaysia, and Thailand, for whom, "virgins can bring auspicious luck"; the price for such exotic and virgin girls is around 300–500 USD per night (Zhixiong He, 2003).

Ethnic minority women who live in tourist areas may be vulnerable to sex work as they may be involved in tourist-related jobs, working as tour guides, for instance. This is the case for Hmong girls in Sapa and Bac Ha, who work as embroidery-traders-cum-tourguides. Because of their cash needs and innocence, they sometimes stay overnight with tourists or wood cutters in the caves, accepting the risk of becoming prostitutes and therefore the risk of HIV and sexually transmitted diseases (Quang, 1996; Lam, 2006a). In other cases, some Hmong boys and girls may work as street traders, which they combine with opium selling. (UNODC, 2003: 86)

Opium use among the Hmong is not new but there is concern related to its possible effects: becoming drug traffickers and thus vulnerable to HIV. The current number of drug users reported (200,000) also means that every day hundred of kilograms of drugs are used up in this area; this level of consumption is certainly related to the increase of drug trafficking from Laos and China into Vietnam via border routes where thousands of Hmong are residing. Drug trading routes are now changing directions. Heroin and amphetamines are beginning to replace opium. The number of Hmong arrested due to drug sentences is increasing and so is the number of Hmong internees in rehabilitation centers. During 2006 I visited some drug rehabilitation centres in the NMR. In the centre named Yen Bai 06, for example, the number of Hmong drug users has increased from 11 (1993) to 129 (2006); 100% were men coming from Son La, Lang Son and Lai Chau (HPI, 2007).

High numbers of Hmong drug users-cum-traffickers are recorded in all border provinces. In Nangum commune (Dien Bien), 80 percent out of 87 households (the majority being Hmong) are linked to the drug trade; in some families, the husband went to prison, the wife continued to smuggle drug. In one family, the husband was sentenced death due to drug trafficking, leaving a sick wife and six children. There were dozens of families with three generations of addicts in a row. In Yen Bai, as of October 2006 there were 2,651 drug users reported, mostly Hmong. Van Chan, Tram Tau and Mu Cang Chai are the three districts having high rate of Hmong drug users. In Lai Chau, a study conducted by UNODC (2003) showed different trafficking routes and the high level of Hmong drug-users in the two communes of Na U and Muong Nha.

### 4.6 Gold Mining: the Treasure Hunt

During the last five years, a new business has emerged in the NMR: hunting for gold or mining for other ores. Illegal gold mining activities have been reported by all provinces occupied by the Hmong. Such activities are happening on the slopes of Lua Cay, the tallest peak in Dien Bien Dong (Dien Bien province), where ethnic villagers in the thousands are making the one-hour trek from Phi Nhu Commune every day in the hope of unearthing "the metal of kings". The gold reserves in the area have yet to be calculated but they are contained in several ore-beds near the ground and are therefore easy to get at. The local authorities have forbidden this illegal mining and told the chiefs of 18 villages to keep their people in line, but to no avail.

In Minh Luong (Van Ban) Lao Cai, 11 digging areas are full of Tay and Hmong who were among the first to join the gold rush. At least 80 per cent of local laborers and 95 per cent of households are involved in illegal mining. The work also lures children, who quit schools to join these digging groups. Very few Hmong get lucky, and many have fallen prey to poverty or drug addiction. A Hmong man from the village, who usually digs several holes a day without luck, says, "It is hard work. If I get lucky, I get some gold dust." In nearby areas of the village, gangs of mud-covered people with digging tools work tirelessly sifting soil for gold. Some men can make 10–50 USD per day, but such money is often frittered away in luxurious motorbikes, gambling and drugs. The problem is much larger, as many mines lay scattered over hundreds of hectares stretching across dozens of kilometers.

In Lai Chau, since May 2006, hundreds of Hmong have flocked to Pac Ta Commune of Than Uyen District in search of the metal, hoping to make a fortune. The prospectors have not only dug up the area but widened the search to neighboring Bai Giua, Rung Vau and Cay Da Doi, spanning 100 ha. The gold ore is stored in local houses nearby where merchandisers later come to collect it at around 4,000–5,000 dong (0.3 USD) per kilogram of ore (100kg of ore yields 0.08 to 0.1 tael of pure gold). Most Hmong prospectors are farmers from neighboring areas who dig for gold in their spare time, pinning their hopes on striking it rich while also trying to tend their swidden fields.

In response to this problem, local authorities in these provinces have launched campaigns to close down illegal mining. In Lao Cai and Lai Chau, the working teams were established, with the help of military, police and forestry security forces, to limit the influx of the gold hunters. However, such interventions have failed, as the miners return, sometimes in a larger scope.

Gold, however, has not helped Hmong households improve their lives. To compound the problem, the gold mines and their surrounding areas have often become a popular destination for drug addicts. Many who have moved to these sites are people

with criminal records, who may lure Hmong men into using and selling heroin. Gold mining has led to an increasing number of drug traffickers as well as robberies.

### 4.7 Migration Due to Dam Construction

Since 2005, thousands of ethnic minorities in the NMR have moved to new settlement areas due to the construction of the Son La hydropower plant. This 2,400 MW dam, which is planned to be built 200 kilometers upstream of the existing Hoa Binh dam on the Da River, would be Vietnam's largest dam and would require the largest resettlement of people in Vietnam's history. Ethnic minorities take up 96% among those to be moved. By 2010, 91,000 people (or 18,968 households) in the three provinces of Son La, Lai Chau and Dien Bien are expected to be resettled. Most of them are Hmong and Tai, who will be moving between 50 to 100 kilometers away from their current homes and without access to the Da River—the source of their livelihood, in most cases.

Although the government provided some compensation for their move, land-use rights and the small amount of arable land are the two most contentious aspects of the Son La resettlement project. Inter-related with these issues are ensuring sustainable livelihood for the affected people, and the impacts that resettlement will have on the cultural continuity and community values of the ethnic minority groups. For the Hmong, one of the most pressing difficulties is the relocation of graves as they don't want the dead body to be re-interred once buried. Another problem is that not accustomed to saving and investing, some have used the compensation money to buy motorbikes, furniture or wasted it on drinking or drugs.

In the Central Highlands, with the rapid rate of constructing new hydropower plants, more and more Hmong and other ethnic groups will be affected. Already in 2006, as many as 22 hydropower plants with a combined capacity of 3,200 megawatts were under construction with a plan to relocate 200,000 people, mostly ethnic minorities. 30 hydropower plants will be built in the central and central highlands regions in the 2006–2015 period. In the case of Yali dam, for example, although only few Hmong were affected, it was said to bring death, disease and environmental devastation to as far as Cambodia even before the plant being put in full capacity (Lang, 2002).

### 4.8 Going to Work Overseas

Since 2004, a new trend has emerged among the Hmong and other ethnic groups: the highlanders go abroad to work as cheap laborers. This is part of the government plan to send 100,000–200,000 workers abroad by 2010 (CSEARHAP, 2007) to deal with the increasing number of landless peasants caused by urbanization. Milaco, a

Hanoi based company, has set up 2 branches in Cao Bang and Ho Chi Minh City to specifically recruit highland laborers to send abroad. Between 2005 and 2006 a number of Hmong (mostly men) from Yen Bai and Ha Giang were sent to Malaysia, a country is now hosting more than 100,000 Vietnamese guest laborers. Yen Bai Department of Labor reported that many of them have stayed beyond the contract and moved to another factory to earn additional money. A similar situation is found in other NMR provinces. A cadre in Xin Man (Hagiang) explained their plan:

> Among 53,000 inhabitants of the district, those at working age are 24,300 . . . this is an important labor force for the district. However, farmers look to 2 crops per year and other cash crops—but it takes them only 3 months for all weeding, planting, harvesting—for other 9 months they don't know what to do . . . this is why many of them are jobless and wanderers. At the beginning of 2006, we [Xin Man authority] worked with two companies in Hanoi to send them to Malaysia.

### 4.9 Moving South to Work in Industrial Parks

One reason for the recent migration of ethnic minorities to the south to seek employment is related to the rapid development of Industrial Parks (IPs) in Vietnam. Since the first IP was set up in 1991, a total of 140 IPs and export processing zones were set up by the end of 2006, mostly in the south; 85% of projects licensed in these industrial zones are 100% foreign owned companies (Doanh, 2002). Over the last 3 years, in parallel with the flow of rural laborers going overseas to work, there is another flow of ethnic minorities from the NMR rushing to the south to work as cheap laborers in various IPs.

The Hmong, mostly men, tend to prefer this new type of employment. Youths give up their school work looking for a job in IPs. Thousands of Hmong men from the NMR are now working in IPs in the south. The advantage of this type of job is that the input investment is cheaper than overseas laboring; and one can sign a long term contract with the employers, thus increasing the amount of remittances to send home. Many Hmong families in Yen Bai now receive regular money sent by their sons, although the receivers may not know what to do with such money. Authority people say that if this tendency is increasing, their economic target may not be achieved as they loose manpower.

## 5. Concluding Remarks

In this paper I have analysed various patterns of migration among the Hmong and how their causes are historically determined. After the various trends shown by

succeeding generations of migration we have seen how the social context (wars, policies, livelihoods) determine the dynamics of Hmong migration. Since fleeing China, the Hmong have suffered from numerous wars, conflicts, and unjust policies. The migration patterns during the French colonial era (both inter-provincial and southward) were heavily dependent on the war policies imposed by both the French and the Vietnamese administrators. When the French left and the Americans came, the Hmong began to face the repercussions of the war-driven triple policies (collectivization, sedentarization, in-migration) with land loss, land conflicts, and distrust being the final result. The war with China in 1979 and the continuing resettlement policies during 1980s added further burdens, pushing them to move throughout the north and triggering southward movement. Next, the fresh air of the Renovation did not warm the Hmong soul. The rush for development, characterized by privatization, industrialization, or modernization had left them behind, neglecting their customary rules and agricultural habits. The ambition to achieve a high GDP high rate (which is meaningless for the poor) is paid by the increasing number of landless minorities and so is the increasing number of Hmong men migrating south or abroad to work as cheap laborers and live in dilapidated houses. The construction of dams and industrial parks, in combination with red tape, corruption and natural disasters have made thousands of Hmong (and other ethnic minorities) to become short of land or landless and thus falling back into the trap of chronic poverty.

Having nothing to loose and in order to save themselves, migration has become a suitable solution adopted by the Hmong to enhance their livelihood. This tactic is smart and adaptive, and has been so throughout history. Although migration is not a choice for many, both economic and spiritual miseries could be worse if migration opportunities did not exist. The massive Protestant conversion among the Hmong can be interpreted as a spiritual reaction to social discrimination in the globalizing society.

Migration decisions among the Hmong make sense when they are seen as part of a continuing effort, consistent with traditional values, to solve, by well-tried means, recurrent problems. Indeed, migration does not undermine social cohesion but, on the contrary, reinforces and even widens the Hmong network. The visit of a Wisconsin Hmong to his relative in Dong Van on the occasion of Gau Tao (Hmong New Year festival) is a vivid example; so is the marriage of a Hmong Lao with his Hmong partner from Nghe An. In this sense, migration is a social process.

I have also shown that out-migration usually does not radically transform poverty for both movers and stayers and that moving to a new area may mean facing new suffering and inequality (land conflicts, political chaos, water shortage, disasters). Remittances, in the case of working overseas or in industrial parks, may be not

effective in the context of low investment capacity of the receivers. As a last resort, many Hmong have continued their journeys by going deeper into forests, crossing the border to a new land, or combining the two.

After nearly 50 years of enforcing sedentarisation, the policy has not achieved its target as desired: shifting cultivation and opium planting are still going on, even more intensely. To deal with this problem, the National Conference on Sedentarisation for the Hmong (held in Hanoi during September 2004) has approved a big plan to settle down 300,000 Hmong doing shifting cultivation by 2010. My suggestion is that such plan may be a waste of money and that repercussions will be similar to those in the past. This is because, for many years, migrations among the Hmong were hardly seen as positive tactic for household survival but often perceived to be a negative factor for development, like environmental degradation and social insecurity.

The argument put forward here is that policies should be timely and sensibly supportive of Hmong migration rather than banning it, and taking into account the contexts that shape their migration and reactions. The various patterns of migration (be they voluntary or involuntary, short-distance or long-distance, short-term, or long-term) should be seen as responsive and well-adapted to the same problems: poverty, insecurity, and inequality. The approach adopted here contributes to debates around the concept of sustainable (rural) livelihoods, which emphasizes the need for a multi-disciplinary approach that looks at the interactions of migration and development. Analyzing structural factors alone (e.g., poverty, conflicts, land shortage, unemployment) is not adequate to explain the dynamics of migration. Rather, we need a better understanding of the capabilities and strategies of the poor people, in their own perspective and reasoning, and that will help to improve development policies. Clearly, development may alter the patterns of migration but may not reduce migration. As such, further research should look at how migration patterns are structured and changed in the context of globalization as well as the impacts of migration on development in different settings.

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## Chapter 8

# Controlling the Margins: Nature Conservation and State Power in Northeastern Cambodia

**Ian G. Baird**

Nation-building projects are a lot about extending and consolidating centralised forms of bureaucratic control, and the power of nation states as we know them today are largely predicated on their ability to exercise a certain level of central authority over space or territory, or as Thongchai Winachakul (1994) says, a country's 'geo-body'. This process is known as territorialisation. However, nation states are rarely if ever 'finished products'. In fact, they represent circumstances that are constantly shifting, both politically and territorially. Therefore, the margins or peripheries of many nation states remain complex and contested landscapes, and are often just on the edges of central government control.

### 1. Nature Conservation and National Policy

Nation states make use of various tools for extending their power over the margins, including map-making (see Winachakul, 1994; Peluso & Vandergeest, 2001), developing classification systems for people from different ethnic groups (Oversen & Trankell, 2004), proliferating particular discourses of 'backwardness' that justify centralised control over the margins (Li, 1999), surveying and inventorying biological resources (Peluso & Vandergeest, 2001), imposing land-use strategies (Sturgeon, 2005), promoting the migration of people from the centre to the peripheries (De Koninck, 2000; Hardy, 2003), implementing modernising development projects (Gillogly, 2004) or simply using armed force to control territory and resources (Lambrecht, 2004; Neumann, 2004). Nation states often push for simplified land and resource tenure systems so as to ensure the clear understanding of space by central governments, as this greatly facilitates the maintenance of state control (Scott, 1998). However, it is not easy to totally displace local tenure arrangements (Sturgeon,

2005). One way that states have often extended their authority over the margins—but which has not received sufficient consideration by most mainstream protected area (PA) managers—is the use of national protected area systems (NPAS), or 'National Parks', as a means for extending central government control, either purposefully or incidentally, over areas previously only partially or tenuously under the influence of the centralised state.

In fact, there has been a considerable amount written about conservation, PAs and the extension of coercive state power, particularly by political geographers and anthropologists. For example, many projects claiming to integrate development and conservation have been found to have actually resulted in forced resettlement, abuses of power by PA managers, and increased unwanted government interference in the lives of local people (Peluso, 1993: Ghimire, 1994; Fairhead & Leach, 1994; Gibson & Marks, 1995; Hitchcock, 1995; Neumann, 1997; 2004; 2005; Colchester & Erni, 1999; Peluso & Vandergeest, 2001). Moreover, many projects attempting to integrate conservation with development have actually extended state power into remote marginal areas (Hill, 1996; Hitchcock, 1995). Neumann (1997) demonstrates how seemingly 'progressive' projects emphasising participation and benefit sharing within the 'buffer zones' of protected areas have actually ended up replicating coercive colonial processes, and have led to the expansion of state power in remote areas. Political ecology is crucial, and as Roderick Neumann (2005: 120) writes, "The processes by which territory is designated as local or global commons and the symbolic and material struggles that result are the central concerns of the political ecology of biodiversity conservation."

It is not uncommon for the peripheral areas that are absorbed into NPAS to be inhabited by peoples from various ethnic minority groups, often referred to as 'indigenous peoples', as it is frequently the marginal areas where these peoples commonly live that are considered the most valuable for biodiversity conservation (Colchester & Erni, 1999; Hitchcock, 1995). Some, such as Colchester & Erni (1999), have suggested that it is no accident that indigenous peoples inhabit some of the best-conserved areas on the planet. These peoples are not only at the physical margins; they are also on the margins of identity politics, and they frequently adopt varied livelihood strategies and have different belief systems from those at the socio-political centre. But these people do not consider themselves to be at the margins; they are living in a landscape that is the centre of their worlds.

This chapter relates to territorialisation and deterritorialisation. Nancy Peluso (2005: 3) writes that "Resource control by territorialisation works by some people or institution of authority determining how people may or may not use resources found within spatial boundaries". Here, the role of Cambodia's NPAS in extending central territorial control over a particular place previously inhabited by indigenous

peoples is examined. It is considered how the central Royal Government of Cambodia (RGC) has supported the centralisation of power over a marginal part of the country, with the crucial assistance and urging of various international conservation and development organisations—including the United Nations Environment Programme (UNEP), IUCN—the World Conservation Union (IUCN), the International Development Research Centre (IDRC), the World Wide Fund for Nature (WWF), the World Bank, and the Global Environmental Facility. Whether this situation has been intentional, accidental or incidental is open to debate, and is certainly not always evident, but it is clear that discourses have been deployed in support of centralised structures of management. Here, a particular case is considered in which a marginal landscape tucked in the northeastern corner of Cambodia, in an area adjacent to Vietnam in the east, and Laos to the north, represents contested space. The place is presently known as Virachey National Park (VNP), one of Cambodia's largest PAs.

This chapter is not only about a National Park and territorial control over a particular landscape, although those issues are crucial. It fundamentally relates to those who used to live inside the space now called VNP, and whose lives remain intricately linked to the area by geography, livelihood, culture and history. Those are the people from the Brao Umba and Kavet ethnic groups, both of which can be considered to be ethnic Brao sub-groups. They presently live not only in the margins of Cambodia but also at the margins of the PA that, to them, is a dramatic symbol of state power over what was once—not long ago—recognised as their place, and has been taken from them without any consultation, compensation or recognition of their fundamental rights to live in the area. Taking a geographical and historical approach, it is their contested vision of the landscape that is included within VNP that this chapter is primarily concerned with, as well as the discursive tools deployed by the state, its agents, and its allies to take and maintain control over the area.

In fact, the discursive tools utilised to justify the takeover of areas for the establishment of PAs are hugely important. Just as Eric Wolf (1983) pointed out in relation to development, one way that people's rights over territory have been undermined is by either de-emphasising or completely ignoring the histories of people associated with PAs (Neumann, 1997). This is a sort of deterritorialisation, and it often goes hand-in-hand with the territorialisation process. To impose a new territorial regime, attempts are often made to remove the previous regime from discourses. Following Said (1994), the colonial conquest of areas did not only take place due to military might and economic domination, but also had a lot to do with the proliferation of ideas, systems, concepts and labels. It is critical that we recognise that images and stereotypes of the 'Other' guide perceptions in relation to biodiversity conservation. For example, by depicting people living in and around

PAs as the destroyers of the environment, international aid agencies have often justified their support for heavy-handed treatment of local people that would be unacceptable in other circumstances (Hitchcock, 1995; Neumann, 2004). Those peoples are frequently represented not as weak or disadvantaged ethnic minorities, but as destroyers of the environment who need to be brought into line for their own welfare, and the good of all the wildlife. This is what Torgovnick (1990) calls the 'primitivist discourse'. Neumann (1997) links these ideas about the 'Other' with colonial discourses from the past, and Moore and Vaughan (1994) show how the World Bank, when working in Madagascar, justified its efforts to sedentarise shifting cultivators in the name of soil conservation. They point out that the efforts of the World Bank and the Madagascar government in the 1980s were based on virtually the same ill-conceived rationale as colonial powers previously adopted across Africa. Discourses have immense power to change people's impressions. As Alcorn (1993: 426) has noted, conservationists often act "as gatekeepers to a discussion table that does not have a place set for those whose future hangs in the balance". The need to protect endangered species is used as a justification for not allowing local people to participate in important decision-making processes related to PAs. Their cooperation is only welcomed when they are willing to adopt the types of ideas that fit into conservationist discourses and paradigms.

## 2. Research Context

This chapter is based on research that I have conducted in Ratanakiri and Stung Treng provinces since 1995, including work done in collaboration with local non-governmental organisations (NGOs) working with the Brao Umba and the Kavet, and even as a research consultant looking at 'migration and settlement' patterns of the Brao in relation to VNP for Cambodia's Ministry of Environment (MoE). Most importantly, I conducted my Master's research in Trabok, Bang Geut and Bong villages in Taveng district, Ratanakiri province, between 2001 and 2003, and have continued working with Brao communities near the park as part of my human geography PhD field research between 2004 and 2007. Over the years, I have come into contact with a large number of Brao communities living near VNP, and have interacted with the people under various circumstances and often for significant periods of time. I speak Brao language fluently, and can communicate with the people surrounding VNP in their own language without needing to use a translator.

The following is a brief description of VNP in the context of Cambodia's NPAS, and the people who historically inhabited the area, and are presently living in its margins: the ethnic Brao peoples.

## 2.1 Virachey National Park

**Map 1: Virachey National Park**

On November 1, 1993 the NPAS of Cambodia—which includes VNP—was established through a Royal Decree signed by King Norodom Sihanouk. The Royal Decree immediately designated 3.3 million hectares of forestlands and other ecosystems within 23 PAs, including National Parks, Wildlife Sanctuaries, Protected Landscapes, and Multiple Use Areas (Ashwell, 1997). The MoE was mandated to manage these PAs on behalf of the state (Lay, 2000). Ashwell (1997) reported that, the Royal Decree was developed through reviewing designated and proposed PAs from its past. He wrote that, "This process was guided by widely accepted principles as developed and elaborated by IUCN following extensive consultations with various experts and authorities throughout the world" (Ashwell, 1997: 66). Ashwell acknowledged that the review was undertaken during a period when there was little current information available about the areas to be declared as PAs. He claimed that lawlessness in the country at the time prevented serious inspection of any of the sites. In relation to the initial establishment of the NPAS of Cambodia, Ashwell (1997) made no mention of the important ethical implications of not consulting with the people living within or near of the various PAs that were being established, including VNP. He focused, instead, on biodiversity issues and national scientific concerns, without any mention

of the local implications of centralising control over remote parts of the country. Serious efforts to consult with local people were apparently not made.

While some of the territory included within the NPAS of Cambodia in 1993 was already under central state control at the time of the park's designation, much of the space located in remote border regions were under at least the partial control of the Khmer Rouge (Le Billon, 1994). This was the case for VNP, as Khmer Rouge rebels continued to occupy parts of the park right up to 1998 when they finally collapsed and ceased to exist, although in the early 1990s security in much of the VNP area was considered to be better than for many other PAs in the country (Le Billon, 1994). VNP is Cambodia's largest National Park, covering 332,500 hectares in parts of Siam Pang district, Stung Treng province, and Veun Say, Taveng and a small part of Andong Meas districts in Ratanakiri province (BPAMP, 2003). As a National Park, the area was protected for nature conservation, research, education and recreation. According to BPAMP (2003: 9),

> The mission of Virachey National Park is to conserve and sustainably manage the natural and cultural resources of the park in partnership with local communities and other stakeholders for the benefit of the people from local communities and Cambodia as a nation.

Dense semi-evergreen forests, upland savannah, bamboo thickets and occasional patches of mixed deciduous forests make up the majority of the vegetation in the park (BPAMP, 2003). The elevation of VNP ranges from approximately 100 m above sea level (asl) near the Sesan River to over 1,500 m asl on the high mountain ranges that extend along the Laos–Cambodia border; most of the park is over 400 m asl (BPAMP, 2003; Koy, 1999).

VNP is considered to be one of Cambodia's most important national PAs because of its large size and the important biodiversity values that it possesses. It is, for example, home to many threatened and endangered mammals, such as Asian elephants, tigers, leopards, gaur, banteng, Asiatic black bears, sun bears, douc langurs, gibbons and many others (Ashwell, 1998). It is also internationally significant because it's 'transboundary' links to other PAs in Laos and Vietnam (Westing, 1993a; MacKinnon, 1993; BPAMP, 2003). Approximately half of VNP's 507 km border constitutes parts of Cambodia's national borders with Laos and Vietnam (Ashwell, 1997) (see Figure 1).

### 2.2 The People of the Park

Koy (1999) reported that there were 11,799 people in 41 villages and nine communes situated adjacent to or inside VNP. The people who previously lived in the area now

designated by the state as VNP are largely from the Brao Umba and Kavet ethnic groups. The Kavet previously inhabited the western part of the park in Siam Pang and Veun Say districts, and the Brao Umba inhabited the eastern part of the park, in Veun Say and Taveng districts. They were spread out throughout much of the landscape now inside VNP (Ironside & Baird, 2003). These peoples speak dialects of a language in the Western Bahnaric group of the Mon-Khmer family (Keller *et al.,* 2008), and they are believed to be the 'first peoples' of the area, having inhabited it for longer than the area's recorded history.

The Brao Umba historically lived north of the Sesan River and south of the border with Laos in present-day Ratanakiri province. The Kavet lived north of the Sesan River in mountainous areas in present-day Stung Treng and Ratanakiri provinces, as well as neighbouring Attapeu province in southern Laos. The name of the Brao Umba originates from the Umba Stream (O Khampha in Khmer), while the name of the Kavet originates from the Kavet Stream, which is located along the Laos–Cambodia border (Ironside & Baird, 2003). Although the exact number of people who identify themselves as being 'Brao' (or as belonging to associated sub-groups) is uncertain, it is estimated to be about 55,000, with about half in Laos and half in Cambodia, one village in Vietnam, and a small number living in Europe and the USA (Baird, 2007).

The Brao Umba and Kavet, and peoples from other Brao sub-groups, are largely Animists, with some also respecting certain aspects of Buddhism. In recent years a few hundred Brao in Cambodia have also converted to evangelical forms of Protestant Christianity. Although at present the Brao frequently engage in both lowland wet rice agriculture and upland swidden agriculture, it was only in the latter part of the last century that they began cultivating wet rice. Their livelihoods and cultures are mainly intertwined with shifting cultivation systems that revolve around planting upland rice and a large diversity of other crops mixed together in fields where the forest has been cut and burnt. After growing crops at one location for one or two years, the fields are left to fallow so that they can return to forest cover. After a number of years, depending on the forest-type and various other factors, previously fallowed areas are again cut and burnt for swidden agriculture. Secondary forests are preferred for swidden agriculture over mature forests, but historical circumstances have sometimes forced the Brao to do swidden agriculture in places where they would rather not, if given the choice (Matras-Troubetzkoy, 1983; Baird *et al.,* 1996; Baird, 2000; 2003).

Brao livelihoods are closely linked with natural forests, mountains, rivers and streams, and most continue to rely heavily on nature for small-game hunting and fishing, as well as for various non-timber forest products (NTFPs) that are used for both subsistence and income generating purposes (Ironside & Baird, 2003; Baird, 1995; 2003). Baird (2000) has shown that the Kavet in Kok Lak commune, Veun Say district, Ratanakiri province, have a considerable amount of what Hugh Raffles calls

'intimate knowledge' (Raffles, 2002) about the natural habitats included within VNP. It has also demonstrated that the Brao Umba of Taveng district, Ratanakiri province have a detailed tenure and management system for *Dipterocarpus* wood resin trees (Baird, 2003; Baird & Dearden, 2003).

## 3. Before the Park

The area where the Brao people once lived is presently virtually all included inside the boundaries of VNP (Ironside & Baird, 2003). To better understand the events that have transformed this contested landscape and have led to the present circumstances, it is useful to review some of the key aspects of local livelihoods in the past, and as well as how history has left us where we are now.

### 3.1 The Pre-French and French Periods

There is very little documentation about the Brao people from the pre-French era. Baird (2008) has described some important aspects of how they spatially organised during the pre-French period. During the intense slave trading era of the 19th century, the areas where they lived were nominally under the influence of the Lao principality of Champasak, which itself paid tribute to—and was under the thumb of—the King of Siam. Aymonier (1895) reported that taxes were paid in slaves, thus encouraging the slave trade.

At the time that the left bank of the Mekong River was ceded to the French by Siam in 1893, there was little known of the Brao peoples. Stung Treng and Attapeu were still part of Laos when colonial France gained control over the region, but in 1904 the French conceded to requests from the King of Cambodia for Stung Treng (including much of the area where Brao people lived) to be 'returned' to Cambodia (Breazeale, 2002). Khmers occupied the area during the Angkor period and up to the 18th or early 19th century, before losing it to the Lao later in the same century (Aymonier, 1895; Rathie, 2001; Ironside & Baird, 2003; Guérin, 2003).

The Brao have a long history of refusing to recognise the authority of others. While some villages that were nearer to the lowlands paid tribute during the pre-French period (Maitre, 1912), others considered themselves to be 'independent' and did not. One of the main concerns of the Brao would have been to locate themselves in areas where they could defend themselves, or easily flee, from slave raiding lowlanders, and attacks by other groups of highlanders. During that period people were sometimes forced to live in large heavily defended villages so as to protect themselves (Aymonier, 1895; Cupet, 1998).

While the Khmer empire exchanged tribute with the ethnic Jarai peoples up until 1859, when King Norodom came to power and stopped sending gifts (Maitre, 1912), the Khmers probably had very limited, if any, relations with the Brao north of the Sesan River. In addition, Hickey (1982) does not mention there being any contact between the Brao and coastal Vietnamese or Cham communities during pre-French times, although there are historical records indicating that coastal towns and highlanders in present-day Vietnam had trade relations at least as far back as the 4th century.

Etienne Aymonier (1895) was one of the first French explorers to mention the Keuet (Kavet) and Brao peoples. He did not actually meet them, but during his journey to the region in 1883–84 he heard that they lived inland between the Sekong and the Se Risan (Sesan) Rivers. He claimed that the villages of these ethnic groups were sparsely populated, with each village having about 20–30 houses, which were defended by small sharp bamboo lances in the ground that could inflict great pain and were considered very dangerous.

It was not until the early 20th century that the French began to come into direct contact with the Brao. Maitre (1912) described the Brao as people who live in the mountainous region between the middle Sesan, the Sekaman (in southern Laos) and the middle Sekong River. He observed that the Brao divided themselves into numerous sub-groups which took the names of streams, mountains, or other nearby natural features near where they lived. Each of these sub-groups included 2–6 villages, whose populations spoke the same dialect. What is clear from the reports of the likes of Captain Cupet of the Pavie Mission [1891](1998), Etienne Aymonier (1895), and Henri Maitre (1912)—as well as from recent reports from Brao elders—is that during pre-French times the Brao's main livelihood strategy was to distribute themselves in low population densities over large extended areas, mainly along the edges of large streams and their tributaries, including the Heulay (Lalay in Khmer), Umba and Trabok (Tabok in Khmer). Aerial photographs of these watersheds from 1953 and 1958–59 confirm this hypothesis (Ironside & Baird, 2003). It made perfect sense for them, as the spatial orientation helped make fishing, hunting and NTFP collecting more successful, and it also reduced the negative impacts on forests from swidden agriculture, thus both protecting the environment and ensuring that swidden agriculture was quite successful (Ironside & Baird, 2003; Baird, 2000).

In September 1895, after the French took control of Laos, there was an attempt to collect taxes from the uplanders in parts of the hinterlands near present-day VNP, as well as ten days of corvée labour a year from each male adult. But apart from that, the French authorities apparently did not try to penetrate Brao territory much during the early French period. When the French attempted to enter, they quickly found that

they were not welcome. Some refused even to recognise French authority (Maitre, 1912). Crucially, the people were often keen for their independence.

Maitre (1912) was frustrated by what he found in the region, and he commented that it was time to end this anarchic situation, and to give the people the new management system that he thought they needed; and the unity of organisation that he said they had never had.

Throughout the French colonial period, and the short period of Japanese dominance and later occupation during World War II, authorities made few efforts to control the people or the territory inside present-day VNP. As French Indochina still existed, the borders between Laos, Cambodia and Vietnam (Cochinchine, Annam and Tonkin) were not particularly important, as all these places were ultimately under the same French or Japanese authority (Prescott, 1975). More importantly, the French had limited resources and other priorities apart from bringing the highlanders and their territory under their direct control, and the Japanese did not have enough time to implement any major changes.

### 3.2 Cambodia Gains Independence from France

While the French were not particularly concerned about the diverse ethnic make-up of the northeast of Cambodia, including the linguistic and cultural preferences of the people there, the situation was quite different for the Cambodian government directly following independence from France in 1954. In fact, Khmer officials who visited northeastern Cambodia in the 1950s were shocked to find that most of the people there spoke either Lao or various ethnic minority languages. Khmer language and culture were not well known. This led to an intensive nation-building effort in the northeastern margins of newly independent Cambodia, beginning in 1958 (Meyers, 1979).

The Cambodian government sent Khmer officials to the northeast to secure Cambodia's sovereignty, and implement a 'Khmerisation' campaign amongst the local population. A year later, in 1959, Ratanakiri province was created, carved from the eastern part of Stung Treng province, and the government also began strongly encouraging Khmer migration from the southern lowlands to the northeast (Meyers, 1979).

In 1960 the Brao were told to come down from the mountains and establish settlements in the lowlands where they could study Khmer language and culture. While some of the Kavet in present-day Kok Lak commune, Veun Say district, Ratanakiri province managed to negotiate their continued stay in the mountains—in return for agreeing to maintain a good path from the Sesan River to their communities—some came down to study, sometimes voluntarily but mainly due to being coerced or forced (Ironside & Baird, 2003). Khmer language education was a key part of the government's strategy for gaining control over what it considered to be its margins (Meyers,

1979). Many Kavet in Siam Pang district, Stung Treng province, were, in the same way, brought down to the lowlands near the Sekong River in 1962. Probably the largest settlement in the lowlands of people from the uplands was the two kilometre-long Brao Umba 'village' that was established along the Sesan River between 1960 and 1962. A school was built next to the Sesan, and all the people from the villages in mountains were lined up in a row along the river on either side of the school.

The Khmers did not, however, adequately consider how the Brao would adapt to their new cramped circumstances and drastically altered livelihoods, and soon the Khmerisation programme began running into serious problems, particularly because many relocatees did not have enough to eat in the lowlands. Resentment at being forcibly resettled, and with the government's Khmerisation efforts, was soon evident, and the campaign had virtually ended by 1962, and most of the people decided to return to their lives in the mountains (Ironside & Baird, 2003).

As the 1960s proceeded, unrest amongst highlanders who lost their land to a large rubber plantation in Ratanakiri also led to increased support for the Khmer Rouge (Colm, 1996). Forcing highlanders from throughout Ratanakiri province to work on the plantations also increased resistance. Moreover, by the mid-1960s large numbers of North Vietnamese troops and supplies were crossing the Ho Chi Minh Trail in southern Laos into northeast Cambodia via its extension—the Sihanouk Trail—before entering Vietnam (Van Staaveren, 1993). The US military began secretly sending elite commando units into Laos and Cambodia (Harclerode, 2001), and by the late 1960s the US also started bombing parts of northeast Cambodia to stop North Vietnamese supply and troop movements (Burchett, 1970; Shawcross, 1979). These former units were a part of a top-secret force called the 'Studies and Observations Group' (MACV-SOG). They included Americans as well as many ethnic minority (Montagnards) forces from Vietnam, especially from the Nung ethnic group from North Vietnam (Harclerode, 2001). As the North Vietnamese increasingly used Cambodian territory, Prince Sihanouk became increasingly agitated, and he stated publicly that in the provinces of Mondolkiri and Ratanakiri "a vast part of our territory has been occupied by the North Vietnamese" (Shawcross, 1979: 114). During the late 1960s, as tensions rose, some Brao Umba people who were supportive of the Americans resettled into the US Central Intelligence Agency's paramilitary base at Kong My in Attapeu province, after being airlifted from just inside of Laos.

In March 1970 the American-supported Prime Minister and former Minister of Defense of Cambodia, General Lon Nol, overthrew Norodom Sihanouk in a coup d'état while Sihanouk was away in Moscow (Burchett, 1970). On April 30, US and South Vietnamese forces abruptly invaded the eastern border regions of Cambodia from South Vietnam (Shawcross, 1979: 149). Henry Kissenger, the US Secretary of State, stated that there were hardly any civilians in the area. The Brao had been

conveniently forgotten. However, things got worse for the Cambodian government, and in June 1970 the Lon Nol regime decided to completely withdraw from the northeast, conceding the area to complete Khmer Rouge and North Vietnamese control. However, this move also made it possible for the US Air Force to designate the whole area as a 'free fire' bombing zone until 1973 (Shawcross, 1979).

As the Khmer Rouge became increasingly powerful, and took over more and more of Cambodia, the rules it applied on the people under its influence became increasingly draconian. Many ethnic minorities supported the Khmer Rouge (Colm, 1996), but as time passed some highlanders began to become disillusioned with the orders being issued by the higher-ups, especially instructions associated with communal eating and living. The Khmer Rouge had also grown increasingly close to Maoist China, and began to purge its ranks of 'Vietnamese influences'. People began being killed and 'disappearing' in the forest (Colm, 1996). These events culminated in a mass exodus of thousands of mainly Brao Umba people from present-day Taveng and Veun Say districts in 1975. However, few Kavet fled, as they were situated too close to the Khmer Rouge base near Veun Say to escape. Some Kavet also continued to support the Khmer Rouge and became important local Khmer Rouge leaders in Veun Say and Siam Pang (Colm, 1996).

In late 1978 the Vietnamese military invaded Cambodia and ousted the Khmer Rouge from power. When the Khmer Rouge fled to the western border with Thailand to escape from the advancing Vietnamese army, many Kavet fled with them; others escaped to Laos. Some later regrouped with Khmer Rouge forces along the border with Laos, in deeply forested areas, including parts of present-day VNP, where they battled Vietnamese and Cambodian troops in the 1980s.

While the Kavet largely continued to fight as Khmer Rouge, the Brao Umba were rewarded for their loyalty to Vietnam, and since people who lived in Cambodia during the Khmer Rouge period were not trusted by the Vietnamese, many Brao Umba who had spent years in Laos and Vietnam as refugees were appointed to key government positions in the new Vietnam-backed Cambodian government (Colm, 1996). For example, Brao Umba people who previously lived north of the Sesan River in Ratanakiri province occupied all the governorships of Stung Treng, Ratanakiri, Preah Vihear and Mondolkiri provinces. The Kavet living in the forest with the Khmer Rouge in Ratanakiri and Stung Treng provinces suffered immensely during the 1980s, both as a direct result of Vietnamese and Cambodia government military attacks, and also due to malnutrition, starvation and various illnesses. Large numbers died. Most of those who survived gradually gave up in 1987. The Kavet from Siam Pang, who fled to Laos in 1979, also largely returned to Cambodia in 1984.

While Brao Umba soldiers with the Vietnamese re-entered Cambodia in 1978 and 1979 and continued working with the new government after the Khmer Rouge were

routed, it was not until 1982 and 1983 that most of the civilian refugee population in Laos and Vietnam were able to return to Cambodia. But because of continued military insecurity, returnees were forced to temporarily locate themselves near Ban Lung, the capital of Ratanakiri province. However, in 1984 many moved to near the Sesan River with government permission. This was followed, in 1985, with a decision to establish Taveng district. However, because of continued insecurity in some of the forests and mountains north of the Sesan River (the area presently included in VNP), and due to the fear that human populations in remote areas might attract the Khmer Rouge from other areas, everyone was forced to live on the south side of the Sesan River, including those whose ancestral homelands were all north of the Sesan (Ironside & Baird, 2003).

In the early 1990s—at the time that Cambodia was preparing to establish the country's first NPAS— areas north of the Sesan River were still considered insecure. Since the people could not return to where they came from, it is not surprising that NPAS planners considered that the area was "sparsely populated" (Mok, 1993) and had "few people" (MacKinnon, 1993). There was little consideration of the tragic circumstances that had forced the previous inhabitants of the area to leave their homelands, and which had prevented them from returning sooner (see, also, section below).

However, in the mid-1990s, as the security situation improved, many Brao Umba and Kavet peoples from Taveng, Siam Pang and Veun Say districts became braver as Khmer Rouge strength diminished. Many began to gradually move back to their homelands in the mountains, even though local governments were either strongly opposed, or at least reticent about approving these movements. The Kavet in Stung Treng province were moving east, and the Brao Umba and Kavet from Ratanakiri province were moving north (Page, 1999; Baird, 2000; Ironside & Baird, 2003).

The Brao considered that their land had been taken from them without any consultation (Ironside & Baird, 2003). One Kavet man from Kok Lak once told me, "Nobody ever asked us for our land. They just took it." But park staff were quick to claim that King Sihanouk had issued a Royal Decree establishing VNP, and that the whole area was now under the control of the central state, through its agent, the MoE. The Brao were trying to maintain discourses that justified their territorial claims, while park staff were attempting to deterritorialise former Brao claims by either denying or more commonly ignoring history.

## 4. Consolidating Central Control over the Margins through Protected Area Management

This section briefly considers the history of PA management in Cambodia, and the roles of various international conservation and development agencies in establish-

ing and supporting Cambodia's NPAS and specifically the management of VNP. In particular, the direct and indirect roles that they have played in promoting the centralised spatial control or territorialisation of VNP are explained.

### 4.1 The Early History of Protected Areas in Cambodia

Although there is no history of PAs for nature conservation from the Angkor period, Philippe Le Billon (1994: 6) claims that, "Cambodia has had a long history of development of protected areas." As early as 1913, the flooded forest surrounding the Tonle Sap Lake was reportedly protected against being cut, and in 1924 Cambodia was the first country n the region to establish a National Park: Angkor Vat, with an area of 10,700 hectares. In 1927, the National Committee for Protection of Fauna in the French Colonies proposed that a series of National Parks be established in French Indochina, but the recommendations were not adopted. In 1935, 16 landscapes were preserved, mainly hills and waterfalls, with the majority being located in Kampot province. In 1960, following the adoption of the Kouprey (a wild cattle) as 'Cambodia's National Animal', six national Wildlife Reserves were established, covering 2.2 million hectares. Virachey was not one of them (Le Billon, 1994). In 1966, there were plans to declare the Wildlife Reserves as National Parks. However, war prevented the implementation of the plan (Ashwell, 1997).

### 4.2 Initial Ideas for Virachey National Park

None of the area presently included within VNP was proposed for PA status until 1975 when Jeffrey McNeely, as a consultant for the Mekong Secretariat, suggested that a small part of present-day VNP (the northeastern corner) be established as a PA that he called Hondrai-Sou Reserve (McNeely, 1993). Then, in 1986, John MacKinnon proposed that the area be expanded to the west (MacKinnon, 1993). However, the idea for establishing VNP was only being promoted by a few foreign PA experts.

#### 4.2.1 The United Nations Environment Programme

The initial vision for establishing a PA in the present area of VNP in 1975 involved creating a transfrontier reserve on the Indochinese peninsula involving Cambodia, Laos and Vietnam (McNeely, 1993; MacKinnon, 1993). Later, in the early 1990s, the idea was developed further by the UNEP, becoming a proposal for an 'Indochina Tri-state Reserve for Peace and Nature', which was envisioned to straddle the three countries and cover about 500,000 hectares. This had a lot to do with efforts to find and protect any remaining populations of Kouprey in the region. There have been no

confirmed sightings of this animal anywhere in the region recently, and the species may already be extinct. VNP was supposed to be Cambodia's contribution to the regional PA (Mok, 1993), while the 101,400-hectare Mom Ray Nature Reserve was expected to be Vietnam's (Hoang, 1993), and Laos could potentially provide Dong Ampham PA with 162,500 hectares or the Nam Kong proposed PA with 122,100 hectares (MacKinnon, 1993). The UNEP pushed the implementation of this tri-state peace park, even to the point of producing a book dealing largely with the issue, and including draft agreements for its implementation (Westing, 1993a). MacKinnon (1993) thought it would be sufficient to simply establish separate PAs adjacent to each other in the three countries without trying to implement any regional management for the areas, anticipating various communication and administrative problems if the tri-state park was managed jointly by all three countries. However, Westing (1993b) thought that the tri-state park would only contribute to building regional confidence in terms of human security issues if it were managed jointly. In any case, despite some continued interest by international agencies through the 1990s, the tri-park idea seemed to die away after UNEP funding for the initiative ended.

### 4.2.2 IUCN and IDRC

IUCN was one of the early international organisations to become interested in establishing a large PA in the general area now called VNP. In 1989, before the UN-brokered Cambodian peace process had begun, IUCN was already promoting the establishment of the 'Hondrai Sou' PA (IUCN, 1990; Collins *et al.,* 1991). In 1992 IUCN undertook a general assessment of the situation in Cambodia, and in 1993 they established a liaison office in Phnom Penh, and provided technical assistance to the MoE for developing the country's NPAS (Ashwell, 1997). They too were apparently unaware that the proposed park was previously populated by thousands of ethnic Brao people, who were forced from the area due to political circumstances. Nor were they aware of many of the historical events already described above, which clearly suggest the contested nature of the geography and peoples who would be affected. Security concerns and time constraints had prevented anybody working for the organisations that were proposing the establishment of the tri-border PA to actually visit the area (McNeely, 1993; MacKinnon, 1993; Le Billon, 1994).

The UN-backed peace process led to the Paris peace agreements in October 1991, and on September 24, 1993 a new constitution was promulgated by an elected Constituent Assembly, which proclaimed King Norodom Sihanouk as Head of State and established the RGC within the framework of a parliamentary democracy.

Another international Canadian government-funded organisation, IDRC, also supported the NPAS development process in 1993, focusing on developing government

institutions, related legislation and building up basic research capacity (Le Billon, 1994). IUCN and IDRC both feared that if a NPAS was not set up quickly, much of the country would be divided up amongst logging concessions that were being considered at the time (Le Billon, 1994; David Ashwell, Director of IUCN—Cambodia, *pers. comm.,* 1997). There was also considered to be a window of opportunity available due to the support given by Dr. Mok Mareth, the Minister of Environment in Phnom Penh, and Sihanouk (Philippe Le Billon, *pers. comm.,* 2006). Therefore, IUCN and the MoE did not conduct detailed consultations with local governments and people to determine where the country's PAs should be located, and what forms they should take. Instead, they relied largely on previous proposals for protected areas in Cambodia, bits and pieces of information from various parts of the country, and satellite images of forest types and cover to determine appropriate places for proposing the establishment of PAs. This top-down PA site selection process was conducted largely in Phnom Penh. Just a little over a month after Sihanouk came to power, the legislation for the NPAS of Cambodia was approved, initially leading to speculation regarding its validity (Le Billon, 1994).

While IUCN, IDRC or even the MoE may not have had any nefarious agenda to strengthen the central government at the expense of the local, or exclude villagers from participating in the planning process for VNP or other PAs, they certainly provided the central RGC with the justification and institutional support, not to mention the funding, necessary to give them control over an area that had long been, as clearly illustrated above, a contested space far from the control of Phnom Penh. The MoE was vying, as a new and weak Ministry, for power, and it recognised that its influence would increase through the establishment of a NPAS, especially considering the challenges it faced from the stronger Ministry of Agriculture, Forestry and Fisheries (MAFF) and also, to a lesser extent, the Ministry of Tourism (Le Billon, 1994).

Yet in the background of the above, right up to the establishment of VNP, there were no consultations with the Brao people regarding plans for the PA. The urgent need for conservation and the security situation justified a total lack of local participation. Because the conservation discourse was employed, there was minimal criticism.

### 4.2.3 World Wide Fund for Nature

The World Wide Fund for Nature (WWF) was one of the first international organisations to support the management of VNP through the Ratanakiri provincial Environment Department and MoE. Although they conducted an assessment of opportunities for doing conservation work in Cambodia in 1991 (Le Billon, 1994), their work in VNP did not begin until early 1998, and largely ended in mid-2000 (Lay, 2000). Although WWF did support some socio-economic studies, community

resource-use mapping, and participatory PA management training during its period of intense involvement in VNP (O'Brien *et al.,* 2000), "[I]ts efforts were focused on strengthening capacity of the park rangers through training and supplying equipment for ranger patrols and park management" (Lay, 2000: 31). Basically, the main focus of WWF was on helping the central RGC, and the MoE, gain control over the territory designated as VNP. They helped recruit and pay for park rangers, and provided training, most of which related to patrolling and working to stop regulation violations. Koy Sokka (1999: 146), former Director of VNP, commented on the first training supported by WWF in VNP in February 1998, stating that, "This training was an important first step in controlling legal violations within the Park." Symbolising the power of the central MoE during these WWF organised trainings, all the 'team leaders' selected were from the central government level in Phnom Penh (O'Brien *et al.,* 2000). The RGC was able to do what they would probably have never had been able to achieve without international funding, and they did it in the name of biodiversity and wildlife conservation, a discourse that clearly legitimised their control over the area, and the provision of international funding support.

It was during the period of WWF support that the idea for creating a 300,000-hectare VNP buffer zone outside of the park was developed (Ashwell, 1998), although the idea was envisioned earlier (Le Billon, 1994). Koy Sokka was quoted by Colchester & Erni (1999: 151) as saying, "People live in the buffer zone, but are not allowed to live in the core zone. Before the park was defined, we had to decide where to put the park boundaries. A study was conducted that divided the park into core and buffer zones depending on where people lived. The core zone is very strict and no farming is allowed in the core zone." Again, the denial of history in discourse had a deterritorialising effect that legitimised the territorialisation process of establishing VNP.

### 4.2.4 The World Bank and the Global Environment Facility

The World Bank became interested in supporting the management of VNP, and the Cambodian NPAS generally, at least as early as 1998, when WWF was still working in VNP, and in February and March 1998 the World Bank sent a mission to Cambodia to develop a proposal for the 'Biodiversity Protected Areas Management Project' (BPAMP) (Ashwell, 1998; Page, 1999). The World Bank's decision to proceed was apparently in response to needs identified in the RGC's 'National Environmental Action Plan' (Page, 1999). BPAMP was designed to focus on capacity and management support for VNP, but also to work towards various national level objectives in support of the overall NPAS of Cambodia (World Bank, 2000). It was also during this planning period that the international significance of VNP was emphasised, with its possible designation under the World Heritage Convention being highlighted

(Ashwell, 1998). It became recognised that there was a need to clarify the division of power over VNP between central and local government agencies (Ashwell, 1998), but there was no mention of how the strengthening of the NPAS and VNP through the MoE was ultimately supporting more centralised control over the area, or the disempowerment of the Brao.

It took the World Bank much longer to actually begin BPAMP than originally anticipated, due to the MoE wanting to implement the project directly, as opposed to contracting its management out to an international organisation or company, as the World Bank originally proposed. Eventually, after stonewalling the process for months, the MoE finally got its way, and the World Bank agreed for them to directly implement the project, with a MoE-appointed project director based at the MoE in Phnom Penh. The MoE was increasing its control over the margins in northeast Cambodia with the direct encouragement from international donors.

During the preparation of BPAMP it also became increasingly clear that the idea of having an official VNP buffer zone was not going to be realised, largely because MAFF controlled the area officially outside of VNP, and was not about to concede any of its territory to its central government rival, the MoE. As with most of the discussions surrounding the PA up that point, it was the national or regional perspective that dominated, rather than local views, which remained invisible. For example, David Ashwell (1998) argued that the buffer zone idea for VNP should not be pushed, as he felt that it could negatively impact on other conservation area decisions in the country.

The BPAMP began in 2001 as a World Bank loan project with Global Environment Facility grant support and local counterpart funding from the RGC. The project was originally conceived as being for four-years, and finishing at the end of 2005, but due to there still being remaining project funds, the project is now scheduled to end in the latter part of 2006. BPAMP (2003: 26) states that,

> Virachey National Park has been designated a "National Park" under the Royal Decree 1993. In giving this designation, the Government of Cambodia has made the overriding land use decision that the primary management objective of the area within the VNP boundary is for its conservation, scientific, educational and recreation values. Virachey National Park should include its partners and, most importantly, the local communities in the management of the PA in order to ensure the achievement of this primary management objective but also to ensure the welfare of the local communities living adjacent to the park.

Although the above position might seem positive in terms of the prospects for local involvement in PA management, past experiences did not indicate the prospects for local people were as promising as the BPAMP rhetoric indicated. It is also

clear from the above quote that BPAMP fully accepted the justification for central establishment and control of the PA, without considering any other motivations for controlling PAs. Since the project began, it has also become increasingly clear that BPAMP has increased the MoE's power over the park, rather than supporting meaningful community participation. Certainly, the MoE has made some concessions to communities as a result of World Bank pressure, and have sometimes gone through the motions of providing villagers with opportunities to consult with the park about its management, but on the other hand, they have often been very slow and sometimes unwilling to give significant management decision-making powers over to local communities with historical claims to the parts of the park. Furthermore, many BPAMP staff, both foreigner and Cambodian, have expressed frustration about localised plans that reflect the ideas of local people and government being frequently overruled by the central government. For them, it has become very clear that the central government has no intention of devolving much real power over to local communities, beyond what is necessary to keep the World Bank from withdrawing funding.

## 5. Recent Circumstances

This section considers the recent circumstances in relation to the Brao and VNP. In recent years the situation within and adjacent to VNP has been mixed. On the positive side, the park has employed a large number of Kavet and especially Brao Umba people as park rangers (reversing the trend of hiring mainly ethnic Khmer and Lao people to work for the park during the WWF period and the early BPAMP period), and the MoE—despite a difficult and frustratingly long process—has approved the establishment of five 'Community Protected Areas' (CPAs) inside VNP for ethnic Brao people living adjacent to the park to use. The project has also implemented small-scale community development and 'eco-tourism' projects in some of the villages adjacent to the park, which have sometimes been quite problematic but have also realised some positive results.

However, VNP and its international donors have so far failed to address the fundamental rights-based issues facing local people, including the rights provided for in international law and various UN treaties. There has been no discussion about compensation for local people who have lost land and resources, or recognition of their inalienable rights to occupy parts of the park. One serious problem has been that the newly established CPAs are supposed to be open for community members to use for fishing, NTFP extraction and other subsistence-oriented activities, but the RGC continues to cling to the Royal Decree of 1993, which gives them almost complete power over the area and says nothing about the rights of local people.

Most importantly, even though BPAMP's own management plan opens the door for local people with historical rights over parts of the park to conduct swidden agriculture inside VNP, park management and the MoE continue to steadfastly veto possibilities for local people to conduct any types of swidden agriculture inside the park, even inside CPAs. Discourses that have problematised Brao swidden agriculture, and unfairly blamed the Brao for environmental degradation have dominated (Kim, 2000; 2001; Lay, 2000; World Bank, 2000; BPAMP, 2003). The MoE is also continuing to refuse local rights to re-inhabit the park in any permanent or semi-permanent ways, even though that is the wish of many.

The fundamental problem for many of the Brao communities is that they are being forced to concentrate themselves in relatively high population densities. For example, in Taveng Leu commune, Taveng district, Ratanakiri province there are six villages situated on the territory that only Phleu Thom once inhabited. This has led to the gradual degradation of the forests in this area, as there is not enough forest outside the park to allow for sustainable fallowing of swidden farms, and there is insufficient suitable land for everyone to adopt lowland wet-rice agriculture, even if that was possible from socio-cultural and economic perspectives. Denser human populations have similarly had negative impacts on fishing, hunting and NTFP collection (Ironside & Baird, 2003). One Brao Umba elder commented, "In the past each village had its own area, and the areas were large enough to support swidden agriculture. Now, however, we are forced to live next to the Sesan River. There is not enough land for everyone."

One of the major problems is that the MoE controls VNP, while MAFF controls forest areas outside the park. Therefore, the MoE has only been able to have power over territory inside the park, and has not considered the negative impacts of its decisions on areas outside of the park. The struggle over territorial control is both between local and central governments, and also between the central MoE and MAFF at the central level. In Kok Lak commune, Veun Say district, the Kavet are facing similar problems related to high population densities. The four villages of Rok, Lalay, La Meuay and 'Ntrak are situated quite close to each other, and Kong Nok and Kaleum villages are situated nearby (Ironside & Baird, 2003). Whereas the peoples who once lived inside the area now included within VNP used to frequently produce excess rice harvests, resulting in many uplanders selling rice to lowlanders during shortages (Guérin, 2001), people living on the edges of VNP are now faced with frequent grain shortages, decreased livelihood security, and increased poverty. The token livelihood support provided by BPAMP has not come close to compensating for what has been lost.

Furthermore, in both Kok Lak and Siam Pang, Kavet people also talk about their desire to return to their lands inside VNP; not only for livelihood reasons—although

that is certainly a huge part of their reasoning—but also because they believe that their cultural traditions can only be protected if they live in their traditional homelands, far away from the ethnic Lao and Khmer influences in the lowlands that they believe are degrading their cultures (Ironside & Baird, 2003). It is not that they do not want to have contact with the lowlands, but they want contact to be on their terms. A Kavet deputy commune chief from Siam Pang district told me, in 2004, that, "The only way for us to protect our culture is to return to our own lands in the mountains."

Still more, the central MoE has shifted its position in relation to eco-tourism. Whereas local BPAMP staff and Kavet people from Kok Lak originally agreed to build tourist accommodations that the Kavet would retain control over, and which would be located at the location desired by the Kavet, the MoE has decided to overrule this decision in order to maintain control over eco-tourism in the park. They only want to allocate minor decision-making powers and control to communities in relation to tourism, and this has frustrated local people, Khmer staff based in northeast Cambodia, and foreign advisors working for the project. One Kavet Commune Councilor said, "First we were told that we would be able to manage tourism in the park, but now they do not want to give us more than minimal power."

In addition, the Kavet in Kok Lak have frequently found themselves in conflict with park officials, especially rangers who have shot their dogs and confiscated their bush knives and flashlights, and even their rice, after encountering locals in the forest. This happened at least three times in 2005–2006, even though the rangers met the Kavet inside Kok Lak's approved CPA, and the Kavet were only entering to fish or cut bamboo for house building, activities that the Kavet believe are allowed within their CPAs. This has upset the Kavet, and has caused them to distrust park officials. Illustrative of this, Kavet in 2007 villagers knocked down a sign that park officials had put up to mark the boundary of the park. The Kavet who encountered the sign immediately expected that the park was rescinding on their agreement to provide villagers with CPA rights, believing that the sign was intended to prohibit them from entering their CPA. This indicates both the level of mistrust that has developed between park managers and local people, and that the park is not yet communicating well with local people. One Kavet man said, "We don't trust the park anymore. Even when we try to follow their rules they still cause us so much trouble."

While the relationship between the park and local people is somewhat better in Taveng district (although serious communication problems remain there too), in Veun Say and Siam Pang districts the Kavet have frequently had misunderstandings and conflicts with park staff, who have long seen them as being backwards, and more generally as being a threat to the park and their power. For example, in 2001 Siam Pang VNP officials, using funds provided by BPAMP, went to Kavet settlements

just inside the park and coerced and threatened them to resettle outside of the park. This was done without considering the World Bank's Indigenous People's or Involuntary Resettlement Policies, which require that the rights of indigenous peoples be respected, and that no involuntary resettlement be done using World Bank funding without certain steps being taken, including appropriate participatory and informed consultations with affected peoples. Furthermore, the development of a proper resettlement plan is required to ensure that the rights of local people are respected and that they receive appropriate compensation when resettlement is deemed necessary by the government. In fact, the first draft of Ironside & Baird (2003) made reference to this problem, but BPAMP, out of fear that the World Bank would close down the project because their policies were not being adhered to, put pressure to have mention of violations of World Bank policies by BPAMP removed from the final version of the report. World Bank officials were aware of the policy violations but had little to say on the matter. There has also been a denial of the ethnocentrism that has also contributed to the central government of Cambodia wanting to take control of minority areas at its edge.

It is clear that the MoE expects that all major decisions regarding the park should be made in Phnom Penh, and while the World Bank might deny supporting such a centralised management structure, the reality is that they have continued to bank roll the MoE, and are providing the institutional justification and backing for a centralised NPAS. Even in relation to the increased ethnic minority representation amongst VNP ranger staff, one Khmer official working for the MoE claimed that none of the ethnic minorities working for the park would be retained once the project ends. Ethnic Khmers were clearly preferred.

## 6. Central Control over the Margins

In this section the processes that have led to the present situation, including the pervading discourses that have brought us to where we are now are discussed. Some examples of how these discourses have been employed are also presented.

The process of gaining control of territory in the margins seems to have been a key motivating factor of the MoE with regards to their willingness to establish and develop the country's NPAS, and consolidate its power over VNP. The MoE needed to control more territory in order to compete with the more powerful MAFF, and they also required this territory to attract international funding. For international conservation and development agencies the motivation for supporting VNP has been to support biodiversity conservation, but both the MoE and donors have been willing to accommodate the agendas of one another. But the NPAS that has been promoted continues to resemble a sort of 'fortress' model (see Neumann, 2005).

All the international organisations mentioned so far have failed to consider or even mention the implications of increased central control over the area included in VNP, and nobody has pointed out the contradiction that projects that have occasionally claimed to support full local participation in the park have also inherently built up the centre, thus removing power from locals. These organisations have failed to assess the ultimate power implications of supporting the MoE's NPAS. Also, some international organisations have promoted the status quo because they prefer dealing with centralised systems, as they are more legible to them, and central government officials are more likely to speak English or French than local officials and especially villagers. The paradox is striking: on the one hand rhetoric about decentralisation and participatory management is ubiquitous, but on the other hand the international agencies are actually supporting increased central control, sometimes quite intentionally.

This will not surprise many, as the World Bank has often found itself in similar circumstances, and since its partners are almost always central governments, it would be surprising if central entities were not the main beneficiaries of their support. The UNEP, IUCN, IDRC, WWF, the World Bank and the Global Environment Facility have also, of course, provided financial resources necessary to allow the central MoE the means to make its presence felt, and it is presently clear that the MoE have a very significant influence over what happens in the vicinity of VNP. In fact, BPAMP claims to be supporting both greater central RGC capacity, but how realistic is it to consider that a strengthened central RGC will willingly devolve significant power to local government or people? It could be argued that international agencies are attempting to work through the central RGC in order to support the creation of structures that will increase community participation in national PA management, but so far there is little indication that any of these agencies have achieved much in that regard, and they have apparently not sufficiently influenced the MoE to adjust policies and practices in that direction, although there have recently been a few positive signs of improvement. But for the most part, the opposite appears to be occurring. It is common in Southeast Asia for national governments to establish forest reserves as a means for extending state power over territory (Peluso & Vandergeest, 2001), and VNP is not an exception.

Another problem is that many organisations involved in formal PA management claim to be 'non-political', and thus feel that it is inappropriate for them to challenge existing PA organisational structures that have been approved by central governments. International agencies often see this type of advocacy as being outside of their mandate. Instead, they prefer to focus on issues associated with biology and immediate conservation concerns, rather than other factors with their origins in power, race and history. Essentially, aspects of political ecology and discourse analysis have been left largely unconsidered.

James Ferguson (1990), who was heavily influenced by the ideas of Michel Foucault, helps us recognise that the discourses surrounding 'development' often make it difficult to see beyond the limits set by discourses, which constructs situations based on a particular kinds of objects of knowledge, and create structures of knowledge around those objects. Michel Foucault's (1979) *Discipline and Punish: The Birth of the Prison* presents a genealogy of a jail, and serves as an excellent example of the type of thing that I am talking about. Foucault shows that prisons do not reduce criminality, but make 'reform' much more difficult. The prison ends up serving as part of a system of social control, but in a very different way than its planners had envisioned. Following Foucault's lead, part of the aim of this chapter is to illustrate the discursive power of particular forms of centralised resource management approaches, while also adding the critical centralising territorial aspects of the PA project to the equation.

Biodiversity conservation and PA management institutions also generate their own forms of discourse, and as with development, these discourses intervene on the basis of this structured knowledge. The discursive element in PA management and political ecology is clearly crucial (Neumann, 2004). As with development, conservation oriented discourse often leads to the expansion and entrenchment of bureaucratic state power, side by side with the projection of a representation of economic and social life that denies 'politics' and, to the extent that it is successful, suspends its effects. It has a deterritorialising effect.

David Harvey (1996: 80) has pointed out that, "Discourses express human thought, fantasy and desire. They are also institutionally based, materially constrained, experientially grounded manifestations of social power relations." In the case of VNP, the discourses created by the international conservation community are worth considering.

John McKinnon presented an excellent example of a situation with many elements relevant to this chapter. Looking at the landslide in Southern Thailand that led to the logging ban in 1988, he found that "those who fix on single issues and fail to consider the wider picture place themselves in a difficult situation in which the economic and political consequences of their advocacy are likely to be forgotten or ignored" (McKinnon 1997: 117). He also demonstrates how discourses surrounding "noble causes", such as environmental conservation, can often lead to obfuscation. This is exactly what has taken place in relation to VNP. The cause of establishing and protecting VNP appeared so noble that few people dared question or look beyond the prevailing discourse.

Some lip service has been given to villager consultation and local participation, but these have generally been in passing, without providing any details or making any meaningful commitments to local welfare and rights. It is interesting to consider

some specific examples of how discourses have been developed to justify central level control over VNP and the exclusion of local people. For one, swidden agriculture has been problematised as a threat to the environment of the park (Ashwell, 1998; Hou *et al.,* 1999; O'Brien *et al.,* 2000; World Bank, 2000). For example, it is highly symbolic that during local level trainings near VNP it was reported that natural resources were in good condition during the Sihanouk period, whereas destructive swidden agriculture was associated with the hated Khmer Rouge era (O'Brien *et al.,* 2000), even though in reality swidden cultivators were actually largely forced to abandon swidden agriculture and take up lowland wet rice agriculture during the Khmer Rouge period (Colm, 1996; Ironside & Baird, 2003).

Colchester & Erni (1999) have pointed out that swidden agriculture is commonly prohibited in PAs in Asia, and that discourses against shifting cultivation are frequently used to vilify indigenous peoples and justify parks. In fact, these contradictions in discourses are frequent in conservation (Neumann, 2004). Central government officials also frequently refer to the Royal Decree that established VNP, in order to emphasise the central control given to the central government by that decree (Kim, 2000; 2001; Lay, 2000; Chay *et al.,* 1995), a practice that is common internationally (Neumann, 2005).

Some officials have presented the people living near VNP in terms of strong modernising development discourses, referring to them, for example, as 'poor' and 'undeveloped', rather than as being very knowledgeable about the environment of VNP (see, for example, Hou *et al.,* 1999; Lay, 2000). Even referring to the area as a 'National Park' clearly puts the landscape in the realm of being under central government control, while it might as easily be called a 'Local People's Park', if a truly decentralised approach was adopted.

Furthermore, there has been little recognition of the historical presence of the Brao people throughout much of present-day VNP, and when it has been mentioned, this fact has always been played down and has only been briefly considered in passing, without elaborating on the rights-based implications of the area's history. By vilifying locals and denying their history, it has become easy for international agencies to justify the park and the centralised management structure associated with it, ignore or deny discourses that result in different conclusions, and deterritorialise and reterritorialise the landscape.

## 7. Conclusions

Most people see PA management as positive. Surely, nobody wants to see all the threatened and endangered species disappear! I certainly support the concept of sustainable resource management, and I also recognise—as conservation biolo-

gists do—that large PAs are needed to ensure the survival of some species with large and particular habitat requirements, and the ecological processes required to conserve biodiversity at both the species and ecosystem levels. A certain level of national and international PA planning is also justified to ensure the inclusion of rare habitats in PAs. But PA management development is not just about protecting biodiversity. PA establishment has a long history as leading to central control over landscapes and people through what is frequently known as 'coercive conservation' (see, for example, Bodley, 1988; Peluso, 1993; Hitchcock, 1995; Neumman, 1997; 2004; 2005). As this chapter has demonstrated, the establishment of PAs and the proliferation of justifying discourses can lead to results that go far beyond 'nature conservation'.

There are important human and 'political' questions associated with PA management that we need to recognise and address with more in-depth analysis. Whether we like it or not, PA management is inherently about politics, despite the efforts by some large conservation organisations to deny this reality. Even providing basic support for PA systems is already a small "p" political decision.

All of the above lead to the following questions. Do centralised PA management systems, where most of the key decision-making authority is anchored with central governments, really always represent the best ways for ensuring effective nature conservation? Are there other possible more decentralised models of PA management that would help ensure that more real decision-making powers are invested in the hands of the communities whose lives are the most affected by PA management? Is it possible to integrate questions associated with PA management with other historical factors and socio-cultural questions? Is it feasible for PA systems to both benefit communities and ensure that biodiversity is protected? The discourses surrounding PA management would suggest that meaningful and participatory community involvement in PA management is both possible and desirable, but what is the reality on the ground? Are we really practicing what we preach? Are nationally-controlled PA systems really the structure needed to ensure real participatory and community-based natural resource management?

Due to our general support for biodiversity conservation and PA management, we have often failed to critically assess the types of governance systems that we are inherently supporting when we promote centralised PA management systems; we have also failed to adequately consider the long-term implications of our actions in terms of territoriality, and various political and socio-cultural questions. My hope is that this chapter will help coax more people involved in PA management, both in Cambodia and other countries, to broaden their focus and 'look outside of the box' for new ways of structuring PAs. We need to recognise that politics and power are important, and supporting more decentralised and locally sensitive models of PA

management does not necessarily imply decreasing the number or sizes of PAs, or reducing protection levels for threatened and endangered species inside PAs. In fact, my discussions with Brao people indicate that many of them are quite supportive of protecting biodiversity within PAs, often more so than those hired from outside areas to work for the central government on PA management. If only they were given the chance and the authority to help protect the natural resources that they know best. To borrow a statement provided by John McKinnon (1997: 130), "What is required is a broad, inclusive and humanitarian view not because it is ideologically more acceptable, but because it is the only one that will work."

In some cases decentralised management structures may result in reduced protection of some species or habitats over short periods, but gaining local support for PA activities may, in the medium and long terms, result in better overall protection, and at a much lower cost to the state. It will, however, require more determined efforts to effectively engage communities in meaningful two-way communication. Full community participation in PA management is also necessary, because, as Poulsen & Luanglath (2005) have recently made clear, in relation to PA management in southern Laos, international donor funded projects come and go, and when there is too much dependence on outside inputs, things can go down hill quickly when the funding is no longer available. This could well be the case once BPAMP is over, although a phase two is envisioned, with an even greater emphasis on strengthening the central MoE. However, NGOs have also initiated the Co-Management Learning Network (CMLN), which includes VNP and hopes to encourage dialogue that will help empower indigenous peoples in the contexts of PA management.

It is not enough for projects like BPAMP to simply espouse the idea of community participation in PA management. We need to look beyond the rhetoric, and consider the broader implications of the types of PA management structures that are being either directly or indirectly supported. This includes examining issues surrounding power, governance, race, history and the deterritorialising and territorialising effects of discourses. Are the centralised models and top down processes surrounding the establishment of PAs and their management really conducive to the type of world that will also take conservation seriously? I suspect not. That does not, however, mean that central governments should not be involved in PA management. In fact, their involvement at certain levels is probably both desirable and necessary (Baird & Dearden, 2003), but their roles might be more appropriately shifted to monitoring and ensuring that PA systems are accountable and transparent, rather than acting as powerful decision-makers regarding issues that can probably better be addressed at local levels, by people who understand the local context. Various types of collaborative and joint management of resources may be the best suited for addressing important natural resource management issues.

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## Chapter 9

# Dancing with Tigers: The Practicalities and Realities of Natural Resource Management as Part of a Development Programme in Ratanakiri, Cambodia.

**John Ashish Ingty Joshia**

> "Succeeding is not simply a question of legislative and policy changes, necessary though they be. Constitutions and legislation that provide protections and guarantees for minorities, indigenous people and other groups are a critical foundation for broader freedoms. But unless the political culture also changes—unless citizens come to think, feel and act in ways that genuinely accommodate the needs and aspirations of others—real change will not happen." (UN Millennium Project, 2005)

This is also true of natural resource management because the natural resources have different users who have different needs and intentions and normally lay conflicting claims to the resource. Some authors (Keulen et al, 2000) point out that the type of measures taken depend on the objectives of the policymakers on one hand and the impact of the measures on the behavior of farm households that make the final decisions on how to use the land. It also means that both policy makers and farm households have a responsibility to use the resources responsibly. This may seem an unfair share of responsibilities but the community does have a responsibility to manage resources, especially in developing countries with subsistence farmers. Most subsistence farmers depend on forest products to supplement their daily diet and also as a main source of food in lean seasons. It is also not uncommon that some members with commercial interests overexploit the resources (overexploitation by powerful individuals outside the community is another issue). Depleted resources make life difficult for other members of the community. Individual community members thus also have a responsibility to use the resources in a manner that benefits the community as a whole. Policy makers therefore, are supposed to make legal instruments and policies that recognize and protect the rights of subsistence farmers to use the forest resources while the community/ farmers have the responsibility to use the resources in a sustainable way.

## 1. Indigenous Communities, Natural Resource Management and Governance

With ever decreasing natural resources and ever increasing populations it is becoming important that countries try and manage their natural resources because the quality of air, water and land directly affects the wellbeing of the people. In Ratanakiri, a province in northeastern Cambodia, this is made more complex because of the existing issues and situation in the province. Majority of the population in Ratanakiri belong to indigenous tribal groups who practice swidden agriculture. But ethnic Khmer who are Buddhist and mainly paddy (wet rice) farmers are the dominant group in Cambodia, and 98 percent of the government staff in Ratanakiri belongs to this group. Khmer culture views indigenous culture as inferior and swidden systems as destructive. The province was considered rich in natural resources. Natural resources were seen as the springboard for economic development (Billon, 2002). As a result concessions were allowed by the government on areas the communities consider their 'traditional user areas'. Lowland Khmers are also immigrating to Ratanakiri to exploit the resources and settle in these 'traditional user areas'. This new situation is causing fundamental and irreversible changes to indigenous livelihood and land use.

This paper presents how a 'development' project worked with the community and government and helped them negotiate the use of natural resources using an approach termed 'Community Based Natural Resource Management (CBNRM)'. The strategy was to build the capacity and assist the provincial government develop mechanisms for working with the indigenous people in the province at the same time build a working relationship between the community and State. The approach became a part of a larger 'decentralized governance programme of the Royal Government of Cambodia called Seila. This increased the complexity of the Seila programme in Ratanakiri however as Kinakin et al (2005) explain that complex situations require complex responses to advance the effort and sensitize the government to indigenous rights and appreciate the needs and aspirations of the people.

Appreciating and considering the needs of others considered 'inferior' or 'destructive' requires a shift in attitude allowing for respect, trust and compassion, especially true when both parties have conflicting interests with regard to the natural resources in question. This attitude change takes time and can become very complex especially when one of the parties is the government. The attitude change can be influenced by outsiders but needs to be internalized by the people being influenced. This was the role played by the advisors to the Seila Programme in Ratanakiri. The approach is slow, complicated and full of frustrations. The author argues that even though it is slow and full of contradictions it is important and needs to be supported.

This paper is neither about natural resource management, nor only about indigenous peoples or their problems but discusses the complex nature of interactions when

trying to improve governance from within using existing government structures in Ratanakiri in Cambodia. Since natural resources management and indigenous people were the main focus of the project the article has been written within this context. The paper is presented in different sections and the second section explains the author's interpretation of development and explains the context in which the article is written. The third section presents and discusses the activities of the project and the fourth section discusses the lessons learnt and finally the conclusion.

## 2. The context of a research cum action among indigenous people

Since there are many interpretations of key words the author wishes the reader to understand what the word means for the author. This does not mean that the author is correct but explains the logic behind the author's views. Improvement or change is part of evolution; adapting to new situations and changing their immediate environment to suit their needs has been one of Mankind's important survival mechanisms. Humans are social animals and therefore have similar group behavior to animals that live in packs. Animals that live in packs have hierarchy and a system of governing themselves. As human societies evolved governance also evolved from simple non codified governance systems of hunter gatherers to complex codified, structured and coded governance systems of the so called 'modern world' (Jared, 1999). These modern societies have become complex and use complicated procedures to install leaders or make decisions. The 'modern' governance systems of today are built on logic and reason. This improvement in governance is considered development.

### 2.1 A Shift towards Development Assistance

So what is development assistance or the assistance to develop? This started at first after the II World War for the more developed to help the underdeveloped by providing knowledge, technical assistance and funds and help the underdeveloped join the modern economic society. This concept has also undergone development and now has become more complex. Earlier the developed countries decided the terms, methods and focus of development assistance. Now the underdeveloped are provided with the knowledge, possible solutions, possible methods and the 'underdeveloped' make the final decision. Implementation of the decision therefore becomes the responsibility of the State receiving the development assistance. It is also clear that 'assistance to develop' is at present normally also termed Development.

The author calls Development Assistance, which he is doing, development. And development is considered as a planned, carefully managed, externally induced improvement to people's lives with the populace being developed making the deci-

sions to change ensuring that the special needs of vulnerable groups (women, ethnic minorities, poor, marginalized) are considered in the change and they are part of the decision making. This managed change also considers the environmental implications of the change. This paper does not focus on the other development which is an internally induced change introduced by the people themselves. There are many countries that have gone through this process of internally induced change, many were successful but others were disasters.

### 2.2 Location of the Area

Ratanakiri province is located in the northeast of Cambodia. Its eastern border is shared with Vietnam, and its northern border with Lao PDR. The central part of the province is an old volcanic plateau. It is located between the Sré Pok and Sé San rivers which originate in Vietnam and flow east-to-west across the province. In the west and south, vast plains stretch into the neighbouring provinces of Strung Treng and Mondolkiri. North of the Sé San, the mountains of the Attapeu plateau dominate the landscape, reaching their highest altitude in southern Lao PDR.
In the past, Ratanakiri was predominantly comprised by a non-Khmer population, consisting of Lao in the lowland areas along the rivers, and highlanders in the forested hills. The highlanders can be distinguished into six major and several minor indigenous groups each having its own spoken language and all sharing a common highlander culture of which swidden agriculture and animistic beliefs are key characteristics. Also, for these groups, the village community is at the core of their social organization. The provincial authorities in 1995, when the project started, did not recognize traditional rights and community-based management of natural resources, there was a strong bias against the traditional culture and livelihood systems (which are still often viewed as simple and destructive).

### 2.3 The Programme

In 1993, Cambodia held its first elections after more than 20 years of civil war and turmoil. As part of the reforms required by the international community, the government agreed to decentralize governance structures and provide more opportunities for local-level planning and decision-making. Known as the Seila Program, the decentralization and local governance reform processes operated within the broad framework of the Royal Government of Cambodia's First Socio-economic Development Plan of 1996–2000. Seila thus was a program of the Cambodian government, and an experiment in decentralized planning, management and funding of rural development with the aim of poverty alleviation through good and appropriate governance.

At the national level, the Seila program is headed by the Seila Task Force, an inter-ministerial body that sets strategy and policy. At the provincial level, the Provincial Rural Development Committees (PRDCs), made up of the heads of the provincial line departments and headed by the governor, are the lead-agencies for implementing the decentralized management, funding, and planning of projects for rural development. At the local level, Commune Development Committees were charged with developing and implementing commune development plans in association with other government and non-government development partners. In Cambodia, the smallest administrative unit is the village, then the commune (a collection of villages), then the district (a collection of communes), on up to the province and nation.

The province received the allocated funds based on the projections made by the provincial rural development committee on the estimates provided by relevant line departments. Activities selected by Departments had to respond to the priorities raised by communities in their Commune Development Plans. The line departments wrote annual sub-contracts to the provincial committee and, once these contracts were approved by the later committee, funds were allocated to departments.

Each department implementing the contracts had to have a manager, finance unit and a certifying officer. They were in charge of implementing the contract and providing per diems fuel, etc to support contract activities. The Manager had to ensure the contract was implemented according to agreements. Since 2002 after Commune Councils were elected the Cambodian Government the Seila Programme covered the whole country.

### 2.4 Support Projects to Seila: CARERE and PLG

Since the capacity of the government in 1995 was considered still lacking to implement such a program, the United Nations Development Programme (UNDP) support project Cambodian Area Regeneration and Rehabilitation Project (CARERE) was developed, which became PLG in 2000. These projects were independent with financial management capacity as well as the technical staff to support the Seila programme, its structure and systems. Their job was to help the government work with a large number of communities developing and testing methods and procedures implemented by line agencies.

CARERE/PLG also assisted with strategic planning and provided capacity building as well as other technical assistance to the government counterparts in the Provincial Executive Committees and Line Departments. Six kinds of activities were supported: 1) a commune planning system called the Local Planning Process; 2) a provincial investment planning system for line departments to support communes requests; 3) a decentralized finance system; 4) the allocation procedures for the local development

fund to communes; 5) the provincial executive committee management structure; and 6) a national and provincial monitoring, reporting and auditing system.

The present structures and procedures introduced or strengthened by the project had to be done in accordance to the administrative mandates and legal instruments of the country. The core activities of the Seila programme were the Funding, Management, and planning of rural development. The Seila programme provided training to the provincial authorities and community representatives to be able to perform their tasks. Though the project assisted the provincial authorities make decisions it had to ensure the implementation of decisions did not jeopardize the position of the officials making the decisions or if it did the government officials were willing to take the risk. Another important consideration has been noted by Kinakin et al (2005) who comment that "Politically and economically, it is more beneficial for government staff to support private companies or powerful individuals rather than community, particularly an indigenous community". Same challenge was rampant in Ratanakiri. The project had to accept the situation as it was given and then work within this situation towards improvement of natural resource management in the province.

Though the administrative procedures existed it was not an easy task to ensure work was done properly. The Provincial Department heads or sub-contract managers did not receive any extra money for implementing activities so their incentive for implementing project activities was low. Since there was also favoritism and individual/ department/ party politics in the provincial departments, it made the life of the programme advisors very complicated.

Thus for the National CARERE/PLG project dealing with these issues at national level was by itself very big. Selling the idea of a bottom up approach for rural development to a government that had been top down, then helping the government implement the programme once they became interested-within the existing governance framework. This was complex and complicated and as a result the Programme decided this was the Core activity of the whole Seila/CARERE/PLG programme. Emphasis and priority at the national level as a result was given to the core activity rural development and to keep things simple focused mostly on infrastructure development which was easy to monitor.

## 3. The Issues

The Northeastern provinces of Cambodia were considered rich in natural resources and according to Williams (1999) "Mythologising the 'remote' and 'resource rich' northeast border provinces, and their 'primitive' occupants is a device that can be used by the Cambodian elite to justify expropriation. Some planners are very frank about their vision of these areas as both repositories for excess population and as

untapped sources of wealth that can used to support the high life of Cambodia's elites." Ironside and Nhem (1998) also mention attempts of the government in the 60's to educate the indigenous people and the existence, in 1998 of a cowboy mentality towards the resources in Ratanakiri.

In 1995, the provincial authorities and the indigenous communities of O'Yadao district in Ratanakiri Province were informed that a 20,000 hectare palm oil concession had been granted by the national government in O'Yadao district, which covered parts of several communes, including Somthom commune. The palm oil company started clearing land in Somthom, creating conflict with villagers directly affected by concession activities, as narrated by villagers:

> The company had no relation with people in the village and commune," said a Som Koul resident. "They just came here to look for workers to clear the land. Some of the supervisors were good but some were fierce and carried guns. They use guns to intimidate the people." Another villager from Beang said, "In the beginning of 1995, twenty company staff came here. Everyone had guns and was dressed in military uniforms. They had AK-47s and rocket launchers. They were looking for workers to cut the forest. They asked the commune to sign and thumbprint a document stating our obligation to look after our cows from roaming or they [the cows] would be shot. (Colm, 1996)

This made life difficult for indigenous community members who were mostly swidden farmers. It is even harder for women who gathered forest products, as Seu Chil a woman farmer from Somthom commune in Ratanakiri says, "we are highlanders, our lives depend on the forests and land. Without forests and land, we cannot live. We need firewood, vegetables, fruits, mushroom, and bamboo shoots from the forests. We see the forests as our market". This reflects the sad plight of upland communities in Ratanakiri who are affected by decisions of the government to grant land or forest concessions without due consultation with the indigenous communities. In the process, the traditional lands and forests of these communities are taken away and handed to powerful domestic and foreign companies.

Since the early 1990s, Ratanakiri has been undergoing rapid change with continued in-migration of new settlers coming from lowland provinces, and continuing extraction of forest resources through forest concessions and illegal logging. Immigrants occupy land traditionally used by indigenous communities, often with the help of local authorities, even village chiefs. As a result, in some areas traditional management systems are rapidly breaking down and land conflicts have become more widespread endangering the livelihoods and culture of the indigenous population. Access to fallow lands and regenerated forest that previously belonged to the communities' domain—a fundamental part of the swidden system—is now increasingly

occupied by outsiders. The changes in the production system and monetization are also having their impact on the traditional organization of the communities as well. Social cohesion is breaking down in some communities.

The project in Ratanakiri became involved in improving natural resource management and its governance, it was important that these changes were made from within by Cambodians. Expatriate advisors influenced the Cambodian Advisors who influenced the government. The Cambodian Advisors first had to internalize this attitude. The Cambodian Advisors would then work with the government authorities and introduce changes. Each advisor came to his/her own decision and developed their strategy to help the government deal with the situation. A point to note is that if a person does not believe in something it is difficult to convince others to believe in that something so the Cambodian Advisors also had to learn, understand, appreciate, and then respect, trust and develop a compassion for indigenous people then convince others that this was important.

Even when the provincial departments and authorities were willing to work for the community they had to balance this with the political situation, party demands, personal desires, internal politics, etc. Project staff had to learn to deal with intrigue and hidden agendas or had to learn to dance with the people having power or 'the tigers'. An example of this can be illustrated in this story: A powerful official from the national level "bought" land from a community in Ratanakiri. The governor was close to this official; however the governor at the same time was encouraging NGOs and Seila to organize workshops and meetings on land sales.

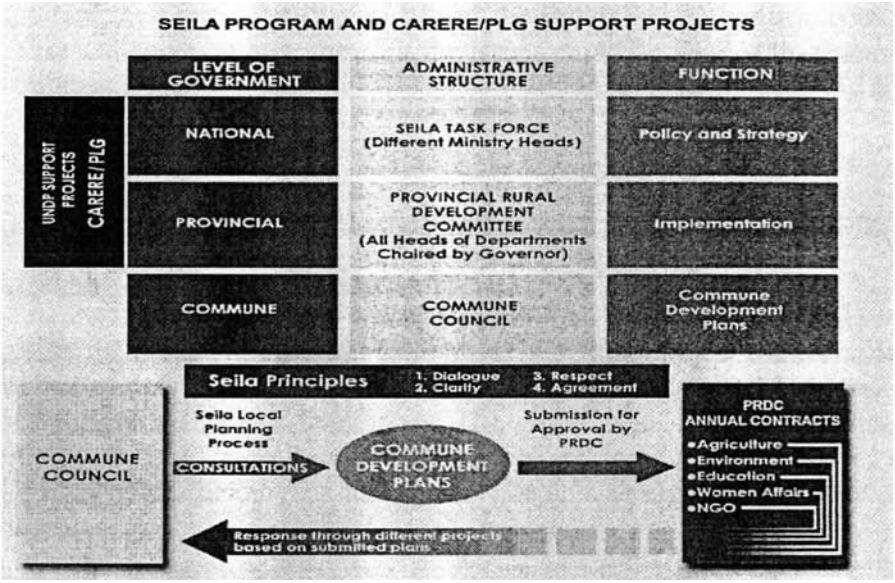
## 4. Enabling Good Governance

Since the Overall Seila programme was to improve governance it provided the Seila Support Project in Ratanakiri a forum to discuss natural resource governance. This became the main thrust and focus of the Seila programme in Ratanakiri; to create the enabling social environment that allows good governance for natural resources. However, this was a balancing act between empowering local communities to negotiate and reinforce traditional land and forest tenure, and building government capacity for decentralization from national to provincial and local levels. Empowerment of local communities however had to be done using government mechanisms and structures.

### 4.1 Strengthening or Installing Structures

As mentioned earlier Provincial Rural Development Committees, made up of the heads of the provincial line departments and headed by the governor, are the lead-agencies for implementing the decentralized management, funding, and

**Figure 1. UNDP Support projects (CARERE/PLG) helps provincial heads and departments implement projects in response to commune development plants**




**Source:** Adopted from IDRC-CBNRM 2004

planning of projects for rural development. At the local level, Commune Councils (previously Commune Development Committees) are charged with developing and implementing commune development plans in association with other government and non-government development partners.

The provincial committee was strengthened to coordinate activities in the province and to take responsibility of decisions. This was critical so that the province was in control of decisions while programme advisors influenced these decisions. Influence, so that the so-called advisors did not control decisions being made. Sometimes the external advisors had to assist the local actors enforce a decision that external advisors thought was not correct. Later the latter would help the provincial committee review this decision if the consequences were negative.

The Provincial Rural Development committee as a result became able to conduct workshops on formulation and interpretation of the Land Law, Indigenous Rights and many other issues as part of the Seila programme. These issues were normally avoided by most government officials in other provinces and national levels,

especially when it involved politically influential persons being provided concessions on areas considered the traditional user areas of the indigenous communities. Since provincial key actors were monitoring the implementation and controlled the provision of annual contracts to departments, it enabled the Provincial Committee to influence implementation by departments in the province, thus decentralizing implementation to suit the local situation. The Contract Administration Unit of the Provincial Committee was able by 2002 to provide annual sub-contracts not only to provincial departments but also to community committees.

In order for the province consider indigenous issues and natural resource management there had to be an agreement at provincial level that protection of natural resources and indigenous livelihood was important. The programme continuously played a key role in helping the province understand that it was important to deal with the issues rather than pretend that the issues did not exist. Also that funding could be obtained if the province was willing to deal with the issues. Once there was agreement that dealing with these issues was important the project facilitators helped the provincial authorities, communities and NGOs discuss and agree on how they felt the issues could be dealt with. Community based natural resource management activities were thus initiated as an action-learning activity.

### 4.2 Helping Government understand Needs of the people

After the initial workshop in 1995 by an NGO, the project started raising awareness of the province on indigenous people's needs by helping the province hire consultants and conduct research into indigenous livelihoods. The project also trained government staff to conduct participatory rapid assessment (PRA) studies. All these activities started building a grudging respect or understanding of indigenous people's livelihood and their needs by provincial authorities.

As the capacity of the interventions launched in 1995 increased in 2000 the project assisted the province formulate two projects worth about 4 million dollars to deal with the core problem identified by the province "Communities are losing control over the management of their natural resources". The larger project was funded by the Sweden (Sida) and was called the Community Natural Resource Management Project components of the project are provided in table 1.

The second project funded by the Canadian bilateral agency and Sida was the Research component that covered a smaller area and conducted pilots that were replicated in the larger natural resource management project. The Research project had 5 components: 1) Community Based Natural Resource Management (CBNRM); 2) Community Forestry; 3) Agriculture Action Research; Community Based Ecotourism; 4) Formal Research component. Both the projects were implemented by

**Table 1: Components of the Community Natural Resource Management project and main activities**

| Project components | Main activities |
|---|---|
| Extended/Integrated Local Planning Component (E/I-LPP) | • Support inclusion of natural resource and gender considerations in the Seila Local Planning Process (LPP) |
| Community Based Natural Resources Management Component (CBNRM) | • Support participatory mapping of traditional land use<br>• Develop natural resource management plans building on traditional management systems<br>• Establish Natural Resource Management Committees to implement management plans under the Commune Councils<br>• Support dialogue/discussions/negotiations on NRM between local, provincial and national levels. |
| Integrated Farming Systems Component (IFS) | • Establish procedures and structures to support Farmer Led Experimentation<br>• Assist farmers to improve farming techniques building on existing knowledge |
| Non Formal Education Component (NFE) | • Khmer literacy to enable community members to communicate with government staff and other outsiders to negotiate resource rights |
| Land Conflict Resolution and Titling Component (LCRT) | • Establish collective land ownership and resources user rights<br>• Reinforce land and resources conflict resolution mechanisms<br>• Support land and resources allocation mechanisms |
| Gender Component | • Improve women's influence on decision making in rural development and natural resource management<br>• Reduce women 's workload through provision of services and alternative means of production |
| Education and Information component (E+I) | • Provide training on good governance specifically on Human Rights, Indigenous Peoples Rights, Land Use Rights to all stakeholders including authorities, local communities, local leaders, and private sector<br>• Provide communities and partners with information in local language through the mass media<br>• Document experiences with community NRM and make information available through translation and publication |

the provincial line departments using the Seila contracting system and managed by the local committees with advisory support from the advisors group. The duration of the projects was from 2001 to 2005.

These projects were a culmination of awareness raising and trust building leading to a point where the province accepts the facilitation from the programme to formulate very controversial projects. This was to a certain extent also maybe because of the control the province felt they had over decision making within the province. However, by 2002 with the help of donors legal instruments started being ratified (Land Law, Forestry law, Community Forestry Sub-decree). This made the central ministries more powerful with regard to their mandates. The role of the provincial members, mostly those belonging to committees, however became less clear. A fact that was very clearly noticed when it was demanded that the province modify two official statements declared by the province in 2000, before the ministry started to cooperate with the Seila programme in Ratanakiri to pilot communal land registration or allow the Seila programme to work with the Cadastral Commission.

This change at national level also meant that even when the province may have been interested to deal with some of these issues, they were now not able because the decision making lay at the national level. Helping the government understand people's needs as a result required also influencing the national level that made decisions regarding the use or management of resources.

### 4.3 Elaborated structures for the purpose of Natural Resource Management

The core issue in Ratanakiri as explained by John (2005) was "Without exception, reports on the indigenous communities in Ratanakiri highlight the importance of natural resources to these communities. The communities themselves are aware of, and actively voice the need to protect their natural resources, and raising their concerns in workshops and meetings on natural resources. . . Development workers working in Ratanakiri are continuously confronted with, and cannot ignore, these issues".
At the provincial workshops it had been agreed it was important for communities to manage their resources because the community's livelihood depended on the natural resources. And that an interdepartmental core team, the Community Based Natural Resource Management Core Team, formed from seconded staff from different line departments with the Department of Environment as the lead agency would assist the communities. Good idea but quite difficult to make working altogether such number of social actors and different entities having various interests. For instance, the Core Team was established through a *Deika* (official declaration) and assisted communities map their traditional land use and develop Rules and Regulations to manage the area. These maps and rules and regulations were approved by the

Provincial Departments and endorsed by the Governor. The Department of Land and the Forestry Office staff found working with illegal land grabbers and forest concessions more lucrative than working with the project. The two departments never accepted the outputs of the activities implemented by the Department of Environment. In fact the Forest Administration questioned the mandate of the Department of Environment several times in national workshops showing clear displeasure over these proceedings. This also shows some of the problems the programme had to deal with; disagreements between departments over mandates and jurisdictions however since the Governor and most of the other departments supported the activities the activities were continued.

All kind of procedures have been shaped with an increasing complexity. After the ratification of the Land Law in 2002 the project had to pass this responsibility to the Department of Land Management Urban Planning, Construction and Cadastre (DLMUPCC) and the activities were conducted by the Provincial and District Participatory Land Use Planning (PLUP) teams that the project helped the province establish and train. The procedures for mapping also changed. This change meant that the project had to start working with a new department using new procedures that were legally acceptable but very complicated requiring endorsement by different departments and officials at different levels of government. Since the procedures were being piloted the project had to get agreement from national level for each step. The national level was busy with many other activities so was not prioritizing the activities in Ratanakiri. This delayed implementation. Of course the donors were asking the project managers a lot of questions regarding the 'indicators' and timelines, set up earlier.

After the ratification of the sub-decree on Social Concessions in 2003 project with PRDC felt that the responsibility to recognize the Maps and Rules and Regulations should be under the newly established Provincial Land Use and Allocation Committee (PLUAC) established through the Sub-Decree on Social Concessions. The different teams were established and trained and finally in 2005 the different teams started land use planning activities when the Sub-Decree on State Land Management was ratified. This sub-decree provided the responsibility of land use planning activities to the Provincial State Land Demarcation Committee (PSLDC). The project is now trying to include the land use teams under this committee.

At commune level the project helped the province established Commune and Village Natural Resource Management Committee. Their roles were to help communities map and develop rules and regulations for managing natural resources based on traditions and then enforce the rules and regulations and also ensure that the commune councils were kept informed of the situation of natural resources in their communes. At first these committees were not considered 'legal' by many line

departments. Through workshops, meetings and discussions between community, departments and ministries at present there is agreement that the committees can be legal if established by the Commune Councils through a Commune Deika.

### 4.4 Conflict Resolution

The current situation in Cambodia makes it easy for a provincial government official, normally paid very low wages, to support private companies and private individuals against communities or use his/her authority to gain personal assets. As a result it was not uncommon for government officials to misuse their power.
Since the misuse of Natural Resources was a core problem in Ratanakiri the province first worked with Adhoc, a Khmer NGO working for human rights, and other NGOs to deal with the issue later the Provincial Land Conflict Resolution Committee was established through a declaration. NGOs, International Organizations and the programme staff were part of the team.

The conflict resolution team realized they were able to deal with smaller conflicts, but not conflicts involving powerful people, because most of the staff of the team were ordinary staff of the departments. The Ratanakiri Provincial Resolution Committee was the only committee in Cambodia to include NGOs/International Organizations staff. The committee solved several conflicts before the Sub-Decree on Cadastral Commissions was passed dissolving Provincial Conflict Resolution Committees. Cadastral Commissions are now mandated to mediate in land conflicts.

It was sad because even after so much effort had gone to build the capacity of the Provincial Conflict Resolution Committee, develop procedures and gain support everything was dissolved; a problem working in an evolving legal situation making it fluid and unpredictable. When the original project document was written it was based on the earlier context and situation but with the establishment of the Cadastral Commissions the situation changed. The donors were not too impressed with the change in the project's role in conflict resolution.

### 4.5 Developing Administrative Procedures

The institutional capacity of Cambodia as described by World Bank (2004) "Cambodia's challenge is compounded by the legacy of internal conflict that not only depleted the country's reserves of human talent on which entrepreneurship is based, but also disrupted the continuity of social institutions social and formal and informal rules that provide the framework for trade and investment" the report continues "It also reflects an attempt by the Government to fill the institutional vacuum through administrative measures that have largely not worked, and created opportunities for

corruption". This situation was not uncommon and when the author started working in Ratanakiri he did not notice administrative procedures to manage staff or procedures to discipline staff. The Seila Programme however, did have procedures and these were followed by the advisors.

The financial procedures of the Seila programme used at first were resented by the departments, especially when Department heads were requested to clarify expenditure by the Contract Administration Unit of PRDC, because they felt this was a loss of face (a cultural pattern widespread in Southeast Asia). However as this became more routine it was accepted as part of normal procedures.

The question of incentives was a constant issue and Kinakin et al (2005) explain that members were not willing to take up responsibility because the incentives for them did not overcome the risks involved (e.g. Confronting government hierarchy; sector focused thinking, and personal perceptions and agendas). An illustrative example can be given: once a department implemented a project for an agency to provide piglets, rice seeds, tools and equipment to help recent returnees from Khmer Rouge camps helping them start livelihood activities. Since funding was delayed the department asked these returnees to borrow rice seeds or piglets from neighbors which the department would clear (It was important not to miss the rice planting season). Later, on receiving funds, the department staff cleared the bills however, the programme advisors found discrepancies. When this was discussed the management was not happy. Advisors called a meeting with staff and management presented their findings from the field and asked the staff to confess how much they misappropriated. The amount confessed was USD 1,200.00. The department management was very unhappy with the programme implementers as this episode "spoilt the image of the Department". However no other disciplinary action was taken against the local actors especially the one who did not confess even when the findings of project staff from the field showed that he had misappropriated funds.

Even with these issues the local projects related with resource management continued to advocate for indigenous rights and that proper administrative procedures be followed. The enforcement was not perfect but the provincial leading committee was solving issues regarding misuse of funds, improper implementation, and natural resource conflicts. In 2001 programme advisors were informed that they did not need to certify budget expenditure of the departments: this was the Provincial Committee's role. The advisors however, were expected to monitor for misuse of funds and report this to the Provincial Committee. This was a move to give greater ownership of project activities to the local governments, which was very positive theoretically. Practically the programme staff had to review their role and adapt to this situation ensuring that provincial departments were in control over fund management but were conducting transactions in a proper manner.

### 4.6 Modifying Interventions to Suit People's Needs

As the country came out of conflict, the national level started to formulate laws and develop procedures for functioning of different government departments and ministries. As Vathana (2005) explains "It is very common, when developing procedures or guidelines, for government officers to only collect and research information from among the documents in-office, as opposed to engaging field research to explore the issues first hand or verify their information. Further, after developing the procedures, the national authorities then send out the policies to the provincial level departments and project staff for implementation. However, when implementation starts, project activities almost always experience problems because they were developed by individuals with little understanding of the ground level realities." In Ratanakiri this was a real problem because most of the procedures developed by the national government reflect the situation of Lowland Khmer people and not the indigenous communities. And as mentioned earlier with the new legal situation in Cambodia it became important that the project work with the national level.

While the Seila project did not have a specific mandate to work on indigenous communities or natural resources, the ecological and demographic circumstances in Ratanakiri resulted inevitably in these aspects dominating the Seila work in the province. The procedures developed for the Seila Programme was suited to the lowland situation, the Ratanakiri project managed to influence the national policy makers and was allowed to implement the special Extended/Integrated Local Planning Process (E/ILPP) in Ratanakiri. This process included natural resource considerations into the planning process allowing communities to request for interventions that provided them with more control over the resources they traditionally used. In 2002 after Commune Council Elections the Seila Local Planning procedures were changed and it was providential that in 2003 two bilateral agencies (DANIDA and Dfid from England) provided funds to initiate the Seila Mainstreaming project. This project inserted natural resource considerations in the larger Seila Planning process, the Ratanakiri experiences helped in the conceptualization of the project.

At the national level other donors were working on procedures to conduct Participatory Land Use Planning in Cambodia. The PLG project assisted the province link with these initiatives in the country. The Ministry of Land Management Urban Planning and Construction (MLMUPC) developed a plan land use planning manual and in the first update drafted in 2004 included a land use planning process in indigenous communities which they developed in cooperation with the Ratanakiri initiative. The Ministry had recognized the work done by Seila, Ratanakiri and requested it to work with other NGOs and International Organizations in the province to develop a special plan land use planning process for Indigenous People.

The project saw the importance of Cadastral Commissions recognizing traditional conflict resolution mechanisms of indigenous communities and tried to influence the procedures for the Cadastral Commissions procedures in Ratanakiri. The ministry was happy to allow the province to conduct a study on traditional conflict resolution mechanisms. Once the study was done the project realized that it neither had the capacity or the staff to support Cadastral Commissions and lobby for recognitions of traditional conflict resolution mechanisms by Cadastral Commissions. Other areas the project tried to influence national level and has been successful to a certain extent were Community Based Eco-Tourism, Community Forestry, Agriculture Development in uplands, Land Law and Forestry Law consultations.

At the moment there is recognition and appreciation at national level by the different ministries about the project activities. This has helped the project use the approach of getting the government and community work together to develop procedures for piloting 'communal land titling' for indigenous communities with the Ministry of Land Management Urban Planning and Construction and 'legal recognition' of indigenous communities with the Ministry of Interior. Members of the Ministry discuss with the province and community, develop procedures, apply them and learn from the application.

Though the project was able to influence procedures at national level it also made the community realize that they had to adjust their perspectives to fit the legal framework and the legal requirements of the different ministries. The legalization of indigenous livelihoods and their way of life meant that some of this had to be codified and recognized and had to fit in 'little codified boxes'. The traditional administration of indigenous communities is however fluid, flexible and decisions depend on compromise and negotiations. Codifying some of this makes them rigid and inflexible. Balancing the different requirements will need specialized skills which the project in the past has been to able to provide because there were funds available in the province.

### 4.7 Feed Back to Policy Makers and Decision Makers on Results of their Decisions

Since laws defined how a resource could be used or misused, informing policy makers on the consequences of decisions became important. The projects thus become involved in these discussions at provincial and national level so that indigenous considerations (and the related natural resource management issues) would receive attention. Some of the new laws acknowledged indigenous rights however the interpretations of these laws were not finalized. The provincial committee was helped to host workshops at the provincial and national levels, where different ministries discussed and tried to come

to a common understanding on the interpretation of laws or at least obtain a negotiated agreement on how to take the next step of implementation on the ground.
Funds from the projects were also used to take indigenous community members to discuss directly with policy makers and other times to bring policy makers to visit indigenous villages to see the situation first hand. These direct and frank discussions were found to be very effective. And as Phalla (2005) points out, both policy makers and indigenous people have different interpretations of 'land' and 'forest' and according to Imareth (2005) different intentions on how to use the resource. The two parties coming together and discussing face to face with each other, defending their views, and coming to a common agreement was important, even if not always systematically constructive.

Policy makers working with communities to develop procedures and guidelines also meant that policy makers were able to assess and experience the situation and context first hand. This experience influenced their judgement and decisions on how to implement certain activities. Discussing and meeting with indigenous people first hand and appreciating their livelihoods first hand provided some respect to the system and compassion for the people themselves. And according to John and Phalla, because it was clear that the indigenous people were speaking for themselves rather than telling the government what they had been primed to say by development organizations. These direct discussions also resulted in breaking down negative stereotypes about minority peoples which were widely held by national authorities (John and Phalla, 2005). Once, in a discussion regarding Communal Land Registration, different ministry representatives were arguing and explaining issues. The representative from Forest Administration was saying 'If they have cut a forest to grow crops, this is still forest and belongs to the Forest Administration'. The representative from Ministry of Mines was emphasizing that 'even if a title was given the Ministry of Mines had the right to take the land back if precious stones or minerals were found within the area'. Listening to these discussions an indigenous representative got up and said 'I do not understand the laws but it seems that you have wrapped your hands around our throat and want to squeeze us completely'. To this, all the Ministry Representatives immediately responded 'no . . . no . . . do not misunderstand the situation, that is not the intention we are trying to understand the legal stand and then we can come to a better understanding of what can be provided to indigenous communities and what barriers we could meet' (Translation by author of the gist of the conversations in the National Task Force Meeting in Ratanakiri).

Sometimes the province also had to take decisions regarding the use or misuse of resources. Since 2003 a national strategy triggered land speculation in Ratanakiri. Members of the civil society, Commune Councils and government officials took the opportunity to make money by selling resources. This issue was highlighted by

NGOs and International Organizations in the province who also emphasized the importance of prioritizing focus on these sensitive issues. The project is now working with the Provincial Committee and the Department of Environment as the lead agency to develop a 'Code of Conduct' for village and commune natural resource management committees, a standardized Rules and Regulations for management of resources for the 20 communes where the province has implemented land use planning activities. The departments have discussed enforcement both at commune and at village levels after consulting their vernacular laws. They have developed a guideline for their own land management to be followed when enforcing their rules and regulations and they have presented the type of support villagers can receive from relevant line departments. A workshop to finalize these progressive activities and to develop a mechanism to monitor the support by line departments has been conducted in December 2005.

Though mechanisms were set up the question of accountability and responsibility kept resurfacing. Since the Government did not seem to have a procedure for disciplining government officials or staff, the responsibility to one's office and accountability to an activity was not guaranteed. Implementation of activities and their quality very much depended on individuals. The author feels that this is a critical issue the government will have to consider for any future projects.

### 4.8 Build Capacity to Take over Decision Making

The Seila Programme aims to build the capacity of the province to take over decisions at three levels; the first level expatriate advisors built the capacity of the Cambodian Advisors to take over advisory role to provincial governments. The second level the Cambodian Advisors built the capacity of the government to take over decision making. The third level the government built the capacity of the community to plan and manage rural development. In addition the Programme had to develop a process for strengthening responsibility and monitoring accountability at all levels. This made the programme very complex and complicated given the situation of the government.

In Ratanakiri the programme became even more complex when it tried to deal with indigenous issues and natural resource management. Most of the Cambodian programme staff and government officials had no experience or understanding of indigenous communities until they came to Ratanakiri. It was only after coming to Ratanakiri and working with the people that they understood, to some extent, the situation. However, many had no idea of the theories and academic discussions on indigenous communities. Thus to expect them to suddenly understand and make decisions considering all the arguments regarding indigenous communities or natural resource management was not possible. It was common for Cambodians to look for

'practical' solutions to the problem or issue, while most expatriates would look for 'conceptual' solutions. Many times advisors would use 'logical' arguments based on concepts and ideas, while Cambodians who survived the Khmer Rouge holocaust and Vietnamese occupation, saw this as a waste of time. Questions like "Look there are Khmer people who are poorer than the indigenous communities why do we emphasize the needs of indigenous communities?" were common.

However, the project had a learning-by-doing approach or an experiential learning approach giving the decision makers opportunity to make decisions and learn from the decisions. A kind of pragmatic research was used to inform decision making and learn from mistakes or successes. With each decision (right or wrong) the confidence to make decisions grew. This means that the advisors had to allow mistakes and successes and help implementers learn from both.

The programme itself made changes that ensured that decisions making was slowly handed over. At first from 1996–2000 there were many expatriates in the provinces attached to the Seila Programme. From 2001 the expatriate advisors to the Seila Programe in the provinces were dramatically reduced and Cambodian Advisors were made the Provincial Programme Managers. Another change was from 2001 the decisions for use of funds was handed over to the provincial authorities.

The handing over of decisions to the provincial authorities also meant decisions would consider the political implications as well as the risk involved in the decisions. Handing over decision making meant that the project also had deal with prevalence of numerous political agendas (inter-ministerial and personal), government attitudes (e.g. do not care, top down), and differing approaches held by different organizations, which are hard to mesh, individuals within the PRDC that do not want to take up this responsibility because incentives for them do not overcome the risks involved (e.g. confronting government hierarchy, sector-focused thinking, and personal perceptions and agendas.). The project however continued to be implemented even with all these issues and there has been progress even if it was slow.

Many times NGOs played a significant role in raising issues and the programme staff would work with the province to try and deal with these issues; politically sensitive issues were presented with great care. This inability from participants of the programme based in Ratanakiri to deal quickly and effectively with issues sometimes made NGOs grow impatient with the project. Dealing with situations however, was important for capacity building.

## 5. Final Comments

The Seila Programme as Chodorkoff (2005) would describe is trying to start "A social ecological approach to development begins the process at the grass roots, working

with communities at the local level on projects which they have determined will improve their quality of life. Regional and national development priorities then grow out of the local orientation. This dynamic is facilitated by a process of confederation in which each locality has its concerns represented regionally and nationally to allow for the creation of a coordinated strategy for development which is built from the bottom up and reflects the desires of the mass of the population rather than those of the elite." However, Bottomley (2000) noted for the Forestry sector "The capacity and capability of the central institutions to plan, manage, monitor and enforce laws in the forestry sector are severely handicapped by interventions of powerful people. . . ." The situation in Ratanakiri was similar and the Provincial Government did not have the capacity to implement complex projects. While making decisions provincial authorities had to consider political implications, self interest, financial implications, loss of face, challenging higher authorities, etc. In such a situation it would be difficult for a provincial government official to make decisions that would be completely community based. This goes to show that even when there are intentions to develop a grassroots based programme, the capacity of the government to implement such a process is an important consideration. If the capacity—not only in terms of decision making, management, administration, etc. but also in terms of socio-economic understanding and ability to negotiate with persons from another cultural background—does not exist, it is better to opt for simpler procedures; however, simpler procedures mean more standardization and less flexibility in a project that covers large geographic areas.

The choices and decisions people make also depend on their beliefs, values and situation. The decisions government officials make are influenced by the values and beliefs of the Head of State however the principles of governance that guide the functioning of the state provides the flexibility to the officials to make decisions on his/her values. The official's values and beliefs decide how the official interprets the principles of governance and values of the State. The values of the State are critical for any country and how these values were developed plays a key role in how they influence governance. An example of this is the Constitution of United States of America. The constitution was drafted by the 'founding fathers' who came from different walks of life had different interests. However, they drafted a constitution that embraced a set of values. The country however has spent almost 250 years, had a civil war, and at times violent social movements to try to implement this constitution. The governance of the country has improved over the years because of this constitution, but as many agree is not still perfect.

In India the Founding Father's also drafted a far reaching constitution with many different values attached. The 'conscience' during the drafting was Mahatma Gandhi. The constitution has survived many violent upheavals but has been the cornerstone to

reduce caste differences and provide rights to lower castes. In fact the sixth schedule of the constitution was again very advanced compared to any other country in the world giving "indigenous communities" in certain parts of the country right to self governance in 1947. However, India even after almost 60 years India is still trying to find ways to improve the situation of the lower castes and indigenous communities. Violence by or against lower castes and indigenous communities continue. The constitution was written by the more politically 'influential' more 'well to do' and with 'better education'—or some would put it the 'elite'- people in the country with very strong moral basis. The Indian Constitution was influenced by Mahatma Gandhi and his teachings. Both the constitutions were developed by the people, but many people died or had to sacrifice a lot to see that the rights in the constitution were implemented.

When we look at the Cambodian context we need to consider that the country has just emerged from conflict with most of the educated and elite killed, with most of the governance systems eradicated and all records destroyed. The country is trying to understand its 'values' and 'beliefs' but the 'situation' is complex. And Billon (2002) explains "As these people and institutions jockey to improve their position in the unstable context of a transition, the exploitation of natural resources is unlikely to conform to typical "rational" economic or managerial principles. Rather it is likely to reflect the apparent "chaotic" nature of a transition associated with the dissolution of mainstream societal forces and driven by the "survival" strategies of individual actors". Higher concepts of democracy, civil liberty, human rights, indigenous rights, natural resource management, etc are not what they would spend time to study so that they make decisions considering all these issues.

Within this context the project in Ratanakiri is putting the framework and procedures for governance and a bottom up planning for the country. At the moment, the project is also trying to instill a sense of accountability and responsibility to project activities or the Government's projects. The project is also helping the country understand the 'principles' of governance and concepts of 'rights' (indigenous, civil society) and also to make them aware that there are groups of people that do not have the same lifestyle and beliefs as the rest of the country. These people require special considerations and procedures. The Provincial Department of Rural Development, Ratanakiri and the Governor of Ratanakiri must be lauded for implementing this project and trying to deal with the complex issues of indigenous communities, natural resource management and governance.

At the same time, one must not forget the situation in Cambodia where corruption and political intrigue are common allows Government officials to use their positions to gain private investments. This situation is also reflected in Ratanakiri, where the country's national plans and the motivations of private gain are making fundamental

and irreversible changes. The natural resources that the indigenous communities need for their livelihood are steadily deteriorating all over Ratanakiri. The problem is, while the country learns to 'develop', the poor and vulnerable (indigenous communities) pay the price of 'poor governance'.

The project along with the province was proactive in trying to deal with issues, the structures established had no legal support, however being flexible they were able to use existing legislature to suit the situation. Even so there were questions raised about the legality of the whole situation in the province. Trying to suit the situation with the new legal instruments or trying to adjust the implementation of new legal instruments to the situation became important to ensure smooth implementation of activities. However the implementation was never smooth, it was jerks, spurts, set backs and grinding halts.

The justification for trying to address natural resource issue and the building the capacity to do so was due to funding available in the province, thus donor funds played a very critical role in helping the province decide what to do. NGOs and International organiizations that are smaller than the large donor projects and work with communities play a critical role to provide this interim support to communities so that they are able to deal with their immediate problems, while the bigger projects deal strategically with the same issues. The NGOs also make it difficult for the government to make decisions that are made with 'self interest' in mind rather than national interests.

Thus external agencies played a critical role in the development of Ratanakiri the larger project that was slow and worked with and through the government to develop the framework on which the country can build forward on. This framework was not 'imported' and applied 'but adapted' by the government and internalized. Nowadays it is being institutionalized. Without external funding these issues may not have been raised. NGOs and external agencies played a key role in raising issues, and acted like 'watchdogs'. This was a very important role played by them and needs to continue, they were also very important to mobilize and empower communities. There were numerous cases when NGOs raised concerns about single companies or individuals that they found had conducted activities illegally. The government usually used the Seila programme (Since they did not completely trust NGOs) to then set up a commission to make enquiries and provide information to the government; Hero concession, Phaepimex concessions, and Palm Oil land concessions are some examples.

There were times when NGOs wanted the Seila programme to be more forthcoming and more open in its display of intentions. However, this was difficult because the Seila Programme was the Government's Programme and had to respond the government decisions. Seila however, ensured that all parties involved had the right

to accept or reject the government's decisions. The government would discourage use 'deadly force' to intimidate NGOs or community who did not accept the decision. But what about the relevance or at least the acceptability of the so called government decisions whenever decisions are against the local people for instance? How Seila deal with this, can he negotiate, etc.? This is the sensitive point that nobody can clearly answer. It is important that NGOs and the Seila Programme continue to work together but each should understand and appreciate the other's role and thus both sides should not expect one to behave like the other.

## 6. Conclusion

The project in Ratanakiri has been a key to help mobilize government to towards indigenous issues and natural resource management. This however is just a start and it will be a long time before one can expect to reach the end. Similar to India and United States, Cambodia will needs rules that cover all people in the country no matter what ethnicity they come from. The nation has to have single system of governance and values of governance within the State. However the State must have special considerations for weak and vulnerable groups as the constitution of India does.

This is in line with the fact that at present in the whole world no matter what ethnicity, culture or beliefs one has he/she is expected to have certain "Universal Values". These universal values apply to all. Each country can develop their own rules and regulations; however these cannot be contradictory to the universal values.

In Ratanakiri changes also depended on external donors who provide the funding for advisors. It would not be possible for the provincial government, on its own, to focus on Indigenous people and natural resource management because this was not a priority of the State. All natural resource management projects being province based were able to focus on the issues relevant to the province. Since 70% of the population was indigenous, dealing with these people became a priority. The provincial government trying to find ways to work with indigenous people influenced the national government to also provide attention to these issues.

As Kinakin et al (2005) explain regarding Ratanakiri's situation "The project advisory team now feels that being government-oriented means being less community-oriented. They realize that results at the local level have been fewer because more efforts have been concentrated at the provincial government level. At this level, significant impacts have been made, as can be seen by the creation and reformation of numerous structures, procedures, and institutions. Further, working within government has meant being able to question mandates, access information, and push for acceptance and dialogue on sensitive issues such as indigenous rights and

natural resources managements perspectives. The project [s] has been instrumental in building a culture of negotiation and strengthening capacity of a level that is often missed when groups focus on the bottom or top. Next steps for improving the project include: awareness raising; coordination and conflict mechanisms; monitoring and evaluation; research and information dissemination; convening dialogues for common understanding; and promoting multi-stakeholder learning and diversity of approaches. These recommendations allude to the need for the continuation of the Project which is actually going on, or a project similarly designed and implemented.

It is critical to understand also that there are different approaches to 'development' and each approach fits a specific role. Working together in Ratanakiri improved the situation but working against each other would have been dangerous because it is difficult for one organization to fulfill all the roles.

Changing attitudes increase in complexity and decreases in predictability as we try to do this in the government. This means the change is slow and happens over a long term period. Donors support organizations therefore should not expect this to happen in short term clearly defined timelines but provide development projects dealing with this issues flexibility and time to influence the change.

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## Chapter 10

# Contested Forests: An Analysis of the Highlander Response to Logging, Ratanakiri Province, Northeast Cambodia

**Ruth Bottomley**

Over the last decade economic development in the form of rapid and destructive forest exploitation has begun to transform the landscape of Ratanakiri, a remote province in northeast Cambodia. The logging has had dramatic repercussions for the indigenous highland peoples who are largely dependent on the forests to meet their subsistence needs. As such, the forests have had the potential to become the arenas of highly charged conflicts.

### 1. Confrontations

A February 1998 issue of the *Cambodia Daily* carried the dramatic headline, "*Hill Tribes Battle Loggers to Save their Forests*" (Van & Smith, 1998:1). The article describes how, in December 1997, ethnic minority villagers in Ratanakiri province brandished axes and knives to chase away loggers. Such stories of local tribal resistance fit well with the idealised western notion of formerly isolated people living in harmony with nature and striving to save their 'untouched' forests from the destruction brought about by the industrialising, capitalist world.

This chapter explores in greater depth the response of the highland peoples of Ratanakiri to the logging that occurred within their forests during the 1990s by focusing on the experiences of villages located in three of the provinces' nine administrative districts. The Kreung villages of Svay and Satok are situated in O'Chum district, in close proximity to the road that runs northwards from the provincial capital Banlung. To the southwest of Banlung, the Kreung villages of Ta Huey and Toen in Kon Mum district are accessible from the national road that runs from Stung Treng in the west to Vietnam in the east. The Tampuan village of Malik is situated in Andong Meas district, which borders Vietnam to the east. The field research for

this study was carried out in August 1998 under the auspices of the Non-Timber Forest Products Project, a non-governmental organisation that began work in the province in 1996 and focuses on natural resource management issues with highland communities. The Project initiated the research in order to document the impact of logging activities on the lives of selected highland communities during a period of particularly heavy timber extraction.

The resulting analysis suggests that the response of the highlanders to the logging in these villages has not been characterised by the pure, cohesive resistance suggested by the newspaper headline. The response has been more diverse, complex and contradictory. In addition to apparent incidents of resistance, there have also been cases of acquiescence, negotiation, and even outright co-operation with logging teams. The highlanders of Ratanakiri are not a homogenous, undifferentiated group, but comprise individuals with differing perspectives, desires and motivations. As Sivaramakrishnan (1995:24) notes, 'a complete inquiry into human agency would entail uncovering co-operation, as well as conflict and complicity, interleaved with resistance'—this becomes ever clearer as local livelihoods are threatened. In the same way, the local actions are not autochthonous, but are illustrative of the way in which the local is responsive to the larger society in which it functions.

Colonialism and the process of nation-building that Cambodia experienced after independence fundamentally changed the position of the highlanders in relation to lowland society and in terms of their access to the forests. The ethnic groups in the northeast became de-facto Cambodian citizens, subject to the sovereignty of the Cambodian State and minorities in relation to the lowland Khmer population. The present day response of highlanders to incursions into their forests is largely shaped by this pre-defined subordinate position within the dominant Khmer society. However, despite functioning within the bounds imposed by the dominant group, the highlanders have been able to manoeuvre and negotiate from this position of subordination and respond to the logging in an attempt to redefine their situation to their best advantage.

Highlander actions appear to be driven by contradictory desires: to put an end to the logging and preserve their forests and traditional livelihoods, while at the same time securing the perceived benefits to be gained from access to the market economy and 'development' opportunities. Strategies are dialectical rather than indicative of pure resistance and derive from 'the selective internalisation or hybridisation of a number of apparently conflicting ideologies' (Crewe & Harrison, 1998:156), reflecting the way in which the highlanders are becoming increasingly receptive to the influences of wider, non-local systems. The incursions into the forests has led to local responses that are both indicative of the limited options available but also suggest a desire to adapt and thus survive in the face of state modernisation and 'development.'

However, the lack of consultation and the rapidity of the change provide the highlanders with little opportunity to define this adaptation on their own terms and rather contribute to an undermining and fragmentation of their values and social fabric. No matter how creative or determined the highlanders are in their negotiations for the means to continue to sustain or even enhance their livelihoods, they are ultimately in a precarious position. As the forests of Ratanakiri are depleted, the choices for negotiation open to the highlanders are also greatly diminished.

## 2. Forest Histories, State Formation

The premise that local populations, rather than existing as isolated, bounded systems, tend to be embedded in wider social, political and economic systems was expounded by Leach in his 1954 study of Burmese Kachin society (Leach, 1997). Headland (1997) has more recently advocated that human-environment relations have also to be understood diachronically to allow for a better understanding of long histories of interaction and competition over resources among local populations. The highlanders of Ratanakiri cannot be considered isolated 'tribes.' Believed to be indigenous to the area that now makes up the northeast of Cambodia, these ethnic groups have long interacted with the lowland peoples, a relationship that has frequently revolved around access to forest.

In pre-modern Cambodia, forests were not a contested resource. The forested highland areas were viewed by the lowlanders as wild and uncivilised, and there was little incentive for the lowlanders to encroach on this territory. The highlanders who occupied these 'non-state spaces' (Scott, 1998:186) maintained relative autonomy from the lowland courts, typically practising a form of swidden agriculture as opposed to the paddy rice cultivation that provided for the Angkorian temple cities. Each group occupied a different ecological niche but interaction was maintained between the two for the purpose of trade in forest products, prized by the lowlanders as valuable export commodities (Chandler, 1998:14). The river systems facilitated the trade in forest products and also, as documented by a French exploratory mission to the Mekong region in the 19th century, a rather more unsavoury trade in slaves (Carné, 2000:85). Relations appear to have been of interaction but imposed difference rather than assimilation and competition over the same resources.

Although the impact of French colonialism was somewhat less visible in Cambodia than in neighbouring Vietnam, the shift from the pre-modern to the modern state via colonialism did transform relations between upland and lowland groups and perceptions of territory. The arbitrary drawing of borders to demarcate the colonies cut through the indigenous lands of the highland peoples, who in turn found themselves to be 'minorities' within these new state spaces (Jónsson, 1992:3).

External territoriality was followed by a process of 'internal territoriality' (Bryant & Parnwell, 1996:7), intended to legitimise state appropriation and exploitation of land and forest within its new domain. As with the British in Burma (Bryant, 1997a) and the Dutch in Java (Peluso, 1992), the French in Cambodia embraced the ideology of scientific forestry. With the establishment of the Ministry of Forests in 1898, the colonial government attempted to introduce state-owned and managed forest reserves dedicated to commercial timber extraction (Hak, 1972:10). This meant that the forests of the periphery became a contested resource, as the economically motivated, scientific forestry practices of the state clashed with the subsistence practices of traditional users. In the eyes of the state, the swidden cultivation practices of the highlanders were wasteful, taking up too much land and forest: resources that could be tapped for economic gain. More than this, as Scott (1998:282) suggests, swidden cultivation is often considered to be an 'illegible', 'fugitive' form of agriculture making it difficult for the state to monitor both the fields and the cultivators themselves. Extension of Cambodian state control to the periphery required traditional forest inhabitants to be 'out' of the forests so that the state could both exploit the timber and survey what it considered to be the most wayward elements of its citizenry.

Following independence in 1954, upland-lowland relations were again in the spotlight as the Cambodian State embarked on a process of nation building. A central aim of the modern state has been to create a nation of unified, homogenised people, through the imposition of a framework of national identity. This requires the promotion of a perception of common culture, through the reification of people, place, beliefs and traditions—an 'imagined political community' (Anderson 1991:6). The 'imagined community' of the newly independent Cambodian State was based on the pre-eminence of the Khmer culture, a fact reflected in Sihanouk's paternalistic policies of khmerisation in the highland provinces. The highlanders were described as backward and primitive, and state policies, which included the introduction of Khmer language schools, Buddhism and lowland farming techniques, were presented in terms of 'civilising' and contributing to the 'social evolution' of the peoples (*Cambodia Today*, 1962:31). Although clothed in the language of welfare, these policies were obviously assimilatory in nature and demonstrated the desire of the state to create a homogenous and ordered nation.

The relatively remote northeast, populated by highlanders who were becoming increasingly dissatisfied with the Sihanouk policies of intervention, assimilation and displacement, provided a suitable setting for the Khmer Rouge rebels to consolidate their power base in the late 1960s and early 1970s. Many highlanders joined the insurgent movement in the early years, and the Khmer Rouge appear to have held a somewhat idealised view of the forest-based highlanders, seeing their culture as 'pure' and untarnished by capitalism (Kiernan, 1996:302). However, the alliance

was as Colm (1997:31) suggests, very much a 'marriage of convenience', and as the Khmer Rouge became established many highlanders suffered under the severity of the regime while others fled to neighbouring Laos or Vietnam.

The years of isolation, warfare and insecurity Cambodia endured during the 1970s and 1980s hampered the ability of the state to regain control of the remote forested regions of the periphery. However, in the early 1990s hopes for a new and better future arrived with the United Nations Transitional Authority in Cambodia (UNTAC), brought in to oversee the national elections scheduled for May 1993. The elections signalled a new era for war torn Cambodia, ushering in the possibility of peace and the opportunity for economic development and prosperity. Although the transition failed to be as smooth as was hoped, the stage was once again set for the newly instated government to begin to draw the natural resources of the periphery into its net.

**3. Forest Plunder and Local Impacts**

Following the 1993 elections, the Cambodian State pursued its goal of national rehabilitation and modernisation through trade, investment and industrialisation, much of which relied on the exploitation of the forests to generate revenue. However, the physical insecurity and financial strain imposed by the continuing civil war in the north-west of the country, the lack of enforceable laws, a weak institutional structure, and a high level of corruption amongst government officials and the military resulted in extensive logging and severe deforestation. Strong regional demand from Thailand and Vietnam fuelled the situation. Far from being 'managed' or 'controlled' by the central state, the forests became a 'logging playground' (Gooch, quoted in Grainger, 1998:7) for 'domestic and foreign timber barons, influential politicians and government officials, and powerful military commanders' (Talbott, 1998:153).

During the UNTAC period a log export moratorium was imposed in Cambodia, but in October 1993 the newly formed Royal Government temporarily lifted the ban to allow for the export of 'old' timber from the forests. 'Old' timber was defined as wood from trees that had been felled before the imposition of the moratorium, but in reality this often appeared to be a licence for concession companies, military units and local business men to fell fresh trees (Global Witness, 1998:3). This pattern of imposing an export moratorium and then allowing for the removal of old timber under the 'collection permit' system was one that was repeated throughout the 1990s, encouraging a general plunder of the forests. Revenue from the logging helped to finance the election campaigns in 1993 and 1998 and the increasingly fraught power struggle between the two rival Prime Ministers, Hun Sen and Prince

Norodom Ranariddh. In 1995 the Royal Government granted a 30-year concession for 1.4 million hectares in Ratanakiri to the Indonesian company, Macro-Panin. Not only did most of the land under this concession overlap the customary domain of the highlanders, but as the concession failed to take up operations, swathes of forest were left open for those wishing to take advantage of it. Global Witness (1998:13) estimated that over 200,000m³ of logs were illegally exported from Ratanakiri to Vietnam during the 1997–8 dry season.

The logging has been a major factor in the transformation of the highland landscape. Loggers arrived in Malik village at the beginning of the dry season in 1992. A provincial company operating with Vietnamese loggers, their incursion into the forest was rapid and destructive. As one villager commented, 'if the tree was tall and straight, they cut it.' The villagers estimated that in one day twenty to thirty trucks would pass by the village loaded with logs. Three years later the loggers returned, supposedly to remove already felled timber as part of a deal made by the provincial government with three logging companies. The profits from this 'collection permit' would fund public infrastructure improvements in the province (Colm, 1997:34). The villagers claim that many of the logs removed during this time were in fact newly felled. The loggers returned again in the 1997–98 dry season. Logging in the forests surrounding the villages of Toen and Ta Huey followed a similar pattern, with the first inroads into the forests being made in the lead up to the 1993 elections. By comparison, the logging companies arrived relatively late in the villages of Svay and Satok in O'Chum district, with the first trucks arriving in the dry season before the 1998 election.

The uncontrolled logging has had serious and tangible effects on the livelihoods of the villagers. For generations both the Kreung and the Tampuan have subsisted on natural resource management systems reliant on a relatively low population and high availability of natural resources. The Kreung in Svay and Satok practice swidden cultivation supplemented by the gathering of forest products and hunting and fishing. The farming season begins in January with plots of land (*chamkar*) being cleared from areas of secondary forest surrounding the village sites. A wide variety of crops are grown, including rain-fed rice, vegetables and fruit trees. The fields are farmed for a number of years before being abandoned as fallow to regain their fertility. The villagers in Toen and Ta Huey follow a similar system, although some farmers also cultivate small fields of paddy rice, as do some of the villagers in Malik, a practice that was introduced during the Khmer Rouge years. Integral to the cultivation systems of both the Kreung and the Tampuan are the collection forests, areas of old growth forests from which non-timber forest products are obtained for use as construction materials, dietary supplements or medicines. These forests are considered to be a common resource and several villages may share the same collection forest, although

some areas of the old growth forests are believed to be inhabited by resident spirits, and taboos exist regarding the collection of products from these areas.

Much of the logging in Ratanakiri province has occurred in the old growth forests used for collection purposes or reserved for the spirits. Hurried logging has tended to leave behind devastated forests, with felled but rejected or uncollected timber left lying about, blocking roads and pathways in some places. Women villagers in Toen observed that the logging had affected where they go to collect fruits, vegetables and vines, forcing them to go further afield in the dry season as the forest nearer to the village had become a '*prei niet'*, a dry forest. Malik villagers endorsed this, explaining that since the forests had been logged there was less dew in the morning, the ponds were drying up and the forest bulbs were becoming small and hard.

The choice of trees for extraction has also impacted on the traditional resource use of villagers. The deputy chief in Toen village lamented how it was becoming more difficult for families to find the trees from which they traditionally made coffins. Coffins are traditionally made by hollowing out the trunk of a single mature tree, normally the *Hopea Adorata* (Emerson, 1997:29). A villager in Malik recounted that when the loggers began to cut and remove logs from their forest in the 1995–96 dry season, many of the trees cut were *Chhoeu Teal* (*Dipterocarpus alatus*), from which the villagers extract resin, commonly used for fuel in household lamps and for caulking boats. Holes are made near the base of the tree and burnt to encourage the resin to flow. The resin accumulates in the holes and is collected once or twice a week. One day he had returned to a particular tree to collect resin, only to find that it had been cut down. He indignantly explained, when I complained to them (the loggers), they told me that I should go to the market and buy paraffin instead.

A common complaint in the villages of Svay and Satok was that since the logging had begun, the forest wildlife such as pigs, deer and monkeys were becoming harder to find. This was attributed to the fact that the loggers often arrived with guns for hunting, but also because the animals were disturbed by the sound of the chainsaws. Villagers often made reference to this latter concern, which perhaps indicates the symbolic importance of these machines in highlighting the differences between those who have the power for large-scale logging, and the villagers themselves. As a villager in Satok pointed out, "the villagers have no materials or money to cut the forest like this, only the rich men can do it."

Bryant (1997b:24) has argued that in the case of Burma, the loss of the forests deprived the Karen of a 'refuge, livelihood and even a cultural referent.' The same can be said for many of the highland groups in Ratanakiri. Spirit forests are central to the Kreung religious beliefs, and powerful spirits are believed to inhabit certain tracts of old growth forest. Taboos and spiritual regulations exist as regards the use

of products from these forests and transgression of these taboos may result in severe repercussions for the villagers if the spirits are disturbed.

The villagers of Svay and Satok regard the forest on Yorl Mountain, with its curious striated rocks, as a residence of the spirits. It is forbidden to hunt wildlife, cut trees or to clear *chamkar* in this area. The incursion of loggers into this spirit forest was a cause of deep consternation for the villagers. Svay villagers reported that a bulldozer belonging to the loggers had broken down as a result of the anger of the spirits. More disturbingly for the villagers, it is believed that when the loggers leave the area, the spirits take out their anger on the villagers. In Satok a village elder had become ill and died soon after witnessing logging on Yorl Mountain. Similarly, a son of the village chief of Svay had developed a fever and died after an excursion to the forest to collect malva nuts (*Samrong* fruit, from the tree *Sterculia lynchnophora)* had resulted in him camping near a recently logged spirit forest. An elderly lady in the village described how on the night he died the dogs had barked constantly and stayed close to the humans, and the branches of the trees had moaned strangely.

In order to appease the spirits, some villagers were offering frequent sacrifices, or *sen*, a practice that was taking a financial toll on village reserves. The family of the Satok village elder had demanded the loggers paid 30,000 riel (US$7.50) towards the necessary sacrifice. Interestingly there were also some accounts of loggers performing sacrifices, although this usually followed them experiencing some misfortune of some sort. The village chief of Svay reported that the loggers had bought a chicken and a jar of rice wine to sacrifice to the spirits when their bulldozer broke down. The spiritual medium, or *mei arak*, of Toen village remarked that the sacrifices given by the loggers were often too small compared to the number of the trees that they cut. A villager in Ta Huey said that the loggers in one of their forests sacrificed one pig and one jar of wine per cutting season, although in Malik the village chief reported that some of the Vietnamese loggers performed a sacrifice every second day to guard against accidents.

**4. The Battle to Save the Forests?**

Highlanders frequently voice disgruntlement over the logging, not only because of the evident destruction caused to the forests and the attendant impacts on local livelihoods, but also because of the lack of consultation afforded them before logging begins. Villagers are often unaware that neighbouring forests are destined for logging until they hear the sound of chainsaws, and, as one village elder in Ta Huey commented, loggers who enter the forests without consultation are considered ‘no better than thieves.’ The lack of consultation is particularly hard for highlanders to

understand when it involves the appropriation of forests that are literally in their back yard and to which they have had relatively unlimited access for generations.

Local responses in many cases appear aimed not so much at active resistance to stop the logging, but negotiation of a share in the benefits of logging. Initial steps towards this tend to take the form of face to face negotiations between logging teams and villagers. Often verbal contracts are made whereby the loggers agree to provide villagers with material benefits such as wood, metal or money, in return for access to the forests. Bargaining has generally been carried out by individual villages directly with the logging teams working in their forests, and the success of the negotiations often seems to be dependent on the strength of personality of village leaders and their prior experience of logging (see also Brosius, 1997:478).

Malik village illustrates well the attempts of the villagers to demand compensation for their forests. When the loggers arrived in the 1992–93 dry season, the commune authorities had informed the villagers and asked them to co-operate with the loggers and to provide guides. Five village militants were allocated the job of taking the loggers into the forest, earning 5000 riel (US$1.20) a day for their trouble. The village authorities claim that the militants were directed by the villagers to take the loggers to areas where there was less forest, a strategy that allowed them to maintain some element of control over the logging activities. In 1995 the company returned, with the approval of both the province and the district. The villagers were reluctant for the loggers to enter the forest and complained to the district authorities that there were few trees remaining. However, the loggers, by now familiar with the area entered the forests and began logging. The villagers, frustrated by the lack of response from the district authorities, began to negotiate with the loggers themselves, and demanded that if they continued to cut they must pay compensation. Verbal agreements were made whereby the loggers agreed they would provide the villagers with wood to build a meeting hall and that they would use their machinery to help to repair a dam used by the village to irrigate the paddy fields.

Towards the end of the dry season Malik villagers claim that about forty trucks were loaded with logs ready for transportation. In neighbouring villages similar verbal agreements for compensation had been made with the loggers, but they had left without paying up. In Malik, the villagers feared the same outcome and so early one morning about sixty village men, armed with axes and knives, and village militants armed with guns went to confront the loggers and demand their materials. Directly challenged, the loggers agreed to provide the materials for the meeting hall, which the villagers later collected from the sawmill in the district town of Andong Meas.

The actions in Malik were spurred by an awareness of the problems of the neighbouring villages in claiming compensation, but the success of the protest was in part due to the cohesiveness of the villagers and the charismatic personality of

the village chief. As a villager in nearby Lom village remarked, the village chief in Malik is very strong, and there are many villagers who support his actions. The people in Lom were too afraid to complain about the logging.

The villages of Toen and Ta Huey were supported in their actions vis-à-vis the loggers by the commune authorities who appear to have been instrumental in bringing the villages together to discuss the logging issues. The village leaders in both Toen and Ta Huey reported that they often had meetings with the commune authorities to decide what action to take against the loggers and what compensation to request. On occasions the villagers set up impromptu road-blocks to stop the logging trucks and demand logs, but in January 1998 the villagers decided to follow a more official path by lodging a complaint with the provincial authorities. Organised by the commune authorities, over 300 villagers signed or thumb-printed a document to protest against the illegal logging in their forests. However, the document got no further than the district office before armed officials were sent to negotiate a compromise. Three million riel, (approximately $110), was provided to the commune and divided among the six affected villages. Another strategy employed by the villagers in Toen commune to force negotiation for compensation was through the confiscation of chainsaws. During the 1997–98 cutting season the commune militants confiscated a total of five chainsaws from different logging companies. At the time of the research one company had negotiated the return of two of the chainsaws by providing the wood and materials to build village meeting houses in Ta Huey and Toen. The villagers were waiting to negotiate compensation for the other three chainsaws.

The apparently militaristic actions of the villagers, rather than being an indication of a 'battle to save the forests', are instead the result of frustration when bargains negotiated beforehand are violated. The intention has not been to stop the logging, for in many cases the loggers are already in the forests and the trees already felled, but to gain what they feel is adequate 'compensation.' As a member of the Village Development Committee (VDC) in Ta Huey explained, "...if the loggers come to consult with the village then it is ok. But contracts should be made between the loggers and the villagers to limit the number of trees that are cut. They should provide the benefits before they start cutting and not after. Before companies promised things and then once they had cut the trees they went away leaving the villagers with nothing."

## 5. Unequal Power

Low-level negotiation is in part a tactic imposed by the marginalisation of highlanders, geographically and vis-à-vis the decision-making bodies of the state. These low-level negotiation tactics are perhaps also deemed to be the most suitable options available within the constraints imposed by the broader fields of power. Villagers

in Ratanakiri are not 'mystified' by state rhetoric concerning the destruction of the forests, 'yet they accept the fact of unequal power' (Jónsson, 1996:189).

There is a certain amount of resignation on the part of the villagers toward the logging. A villager in Toen described how when he was drinking rice wine with his friends they would talk together about the logging and the militant action they would take to prevent it or to gain compensation. They would erect checkpoints and demand money from each passing logging truck. Another village official talked of how, in the future, the villagers would act more strongly, fighting the loggers with fists and bows and arrows, adding, 'the people in cement houses are more afraid of dying than we are.' The anger of many of the villagers is evident, but in reality the highlanders have to negotiate with the dominant culture from a position of weakness, and it is the strategies and choices that they make within these constraints that determines their actual response to the logging.

Their strategies for negotiation have been very reminiscent of Scott's (1985) less overt forms of 'everyday resistance.' They have been piecemeal, have required little or no co-ordination or planning, and have usually involved a form of self-help, as befits geographically dispersed peoples of low-status and little wealth. But most of all, they have allowed the people to respond in a way that mitigates the fear of reprisals.

The parameters of resistance are set through belief about the probability and severity of retaliation. As Peluso (1992:13) argues, 'the expression of resistance is tempered by the strength of the authority it is contesting, and that authority's repertoire of control.' In Ratanakiri a serious constraint to overt resistance or opposition was the fact that the majority of logging operations during the 1990s were controlled by local police and the military, who provided protection for the companies in addition to taking their own share of the pickings. As a villager in Toen noted, 'the loggers are always cutting for this man or that man, but these men are always powerful.' The fear of intimidation and violence has not only dissuaded villagers from overt demonstrations of resistance, but it has steered the highlanders towards strategies of low-key negotiation tactics, or even compliance with the loggers.

Resistance is also limited by the everyday imperative of making a living. Swidden agriculture is relatively labour intensive, and most villagers have little time to spare to actively resist the logging. The deputy village chief of Toen explained that although the village leaders in the commune had worked well together to try to confront the logging issue, it was not easy because the villages were some distance from each other and often the villagers were too busy to attend meetings. The need to avoid risk-taking continues for many to be a strong motivational pull to avoid subversive actions or 'get rich quick' schemes.

The response of the highland villagers towards the logging therefore has to be situated within a wider context of power relations and the constraints imposed by their

own social and economic situation. But the tactics of negotiation also indicate that we have to understand the actions in terms of the situation of transformation in which the highlanders find themselves, and as a reflection of their own changing values.

## 6. Identities and Licences

It can be argued that state efforts to shift perceptions of identity from the colonial subject to the Cambodian citizen in line with the process of nation-building has had a transformative effect on highland peoples. Not only has the process of nation-building increased the bureaucratic and military reach of the state, but the concept of a unique 'imagined community' of Cambodians now permeates and structures the self-image of the highlanders, even if at times this conflicts with their own ethnic identities. Since the creation of Ratanakiri as a province of Cambodia in 1959, government administrative structures have been imposed on traditional highland governance systems and highland populations have participated in nationwide elections, with some individuals gaining employment and status within the government system. The increasing influx of Khmer to the province and the associated changes in economic relations has also played a role in defining a Cambodian identity among many highlanders. To be 'Cambodian' has served as a tactical tool for justifying the right of the highland villagers to be involved in the negotiations over the logging, even if these negotiations take place only with the logging teams.

This self-identification by highlanders with the Cambodian State is illustrated by the reaction of villagers towards logging teams who arrive with paper. If loggers are in possession of a licence from Phnom Penh, signifying State acquiescence, villagers tend to be resigned to the fact that there is little they can do to stop the logging or even to negotiate for compensation. During an informal meeting the villagers in Satok discussed how, if the loggers returned to their forest, they would ask them to stop cutting their trees, but if the loggers came with an official paper, they would feel powerless to stop them. This suggests that many of the villagers recognise what is deemed 'legal' in Cambodian law and therefore what they must abide by as Cambodian citizens, even if this is contrary to their customary laws and, it appears, harmful to their livelihood. As a village official in Toen explained, the villagers have protected the forest for a long time, but if the (logging) companies come with a licence from the government, we are happy to give our trees.

Fear of reprisals for challenging the law of the state perhaps plays a large part in these attitudes. The more overt resistance or negotiation has tended to occur when logging teams arrive without a licence and appear to have no official approval for their activities. It is as if villagers feel they can literally take the law into their own hands and negotiate with the loggers on the basis that they have no 'official' right

to be in the forest. The Deputy Village Chief of Toen explained that he had always been co-operative if the loggers arrived with a government licence, but one day he heard an announcement on the radio that the government had imposed a ban on all logging activities. The logging moratorium was imposed once again in the run up to the 1998 elections. It was at this point in time that the Toen villagers stepped up their resistance activities and confiscated the chainsaws from the loggers.

Unfortunately, the importance given to 'paper' by the highlanders appears to have worked to the benefit of some loggers who, taking advantage of the lack of Khmer literacy skills among the highlanders, have produced fake licences. Licences written in Khmer have been shown to villagers purportedly to legitimise the right for the loggers to work in the forest, but often these are out-dated or refer to different tracts of forest. The village chief of Svay apparently thumb-printed an agreement for the logging company to enter the forests without being fully aware of what he was signing. In the late 1990s there were a couple of well-publicised cases of Ratanakiri villagers being duped into signing documents allowing for the extraction of resources or the expropriation of land. In 1997 three villages in Bokeo district unwittingly signed away 1,250 hectares of village land to a powerful military general when they thumb-printed a document they were told would bring them "development." Instead, they received two kilos of salt per family (Phnom Penh Post, 2001:5). On the 11th May 1999 the villagers of Svay, Khmeing and Satok were pressurised into thumb-printing documents signing away their forests for logging by the company Hero Taiwan Ltd. (Colm, 2000: 34).

**7. The Wealth of Trees**

Logging has highlighted the meeting of two very different world-views: that of the indigenous highlanders whose relationship with nature is traditionally dependent and reciprocal; and the western, scientific view of nature as consisting of resources to be controlled and exploited in the name of 'development.' Croll & Parkin (1992:8) argue that the development discourse has become 'an ideological force of global significance' and that for people the world over it has become a fact of everyday life. Development offers the promise of access to technology and material wealth for all, but rarely warns of the price that is paid, in terms of natural resources, in order to fulfil this promise.

Highland villagers in Ratanakiri have acknowledged the fact that they too want development. Government policy towards the highlanders has been directed by an ideology of mainstream development, beginning in the Sihanouk era when highlanders were urged to settle down in wooden houses along the roadside and to wear Khmer clothing. Today the increasing accessibility of markets and modern

amenities such as health centres has continued to encourage highlanders to settle nearer to roads or provincial centres. The influx of outsiders into the province in the form of national and international NGO workers, lowland migrants, and timber companies has paraded a spectrum of 'wealth' before the highlanders.

Development and progress is seen initially in terms of access to material wealth; the wooden houses, the motorbikes, the cars, the clothing of these outsiders. Villagers in Satok discussed how they would be able to buy draft animals and machines to develop the village if they could divert some of the wealth from the logging. A villager in Toen explained that the villagers now need money to buy clothes, monosodium glutamate (MSG), and motorbikes. Logging has demonstrated that the forest has a new, monetary value, and has provided the means through which to obtain these commodities of development. By negotiating with the loggers or by working directly for them, highlanders have had the opportunity to access monetary wealth, although interestingly, they have often used their 'development trophies' in highly indigenized ways. Money has been used to pay for *sen* to appease the spirits, and wood and tin have been appropriated for the construction of communal meeting halls.

But logging, while offering the supposed means for entrance into the new market economy and acceptance by the dominant developed society, is at the same time taking away the very basis of the highlanders' traditional means of survival. The complexity of the issue was clearly highlighted by the village chief in Ta Huey. Before we had only the leaves, bark and roots of trees to cure illnesses, he explained, 'now we have modern medicines and so our customs are dying a little. The forests are being destroyed and the traditional medicines and sacrifices are less effective than before.' These contradictions have not only affected patterns of resistance, but have also highlighted and inflamed existing differentiation within the highland communities and encouraged an increasing rift between communal and individual values.

## 8. Discordant Voices

The strong social cohesion traditionally demonstrated by the Kreung and Tampuan has come under increasing pressure since the advent of logging. Very real differences in terms of interest, status and motivation exist within households and within communities, and as ownership and control of resources has become an increasing indicator of economic and political power, logging has fuelled individualism, competitiveness, conflict and power struggles. Those advocating traditional values conflict with those advocating modernity, resource competition has set villager against villager and gender dynamics have promoted some voices at the expense of others.

The notion of progress, as expounded in the dominant discourse, suggests that the socio-cultural aspects of highland life are a barrier to obtaining wealth and

power, and to achieve these goals there is little choice but to abandon the traditional for the modern and mainstream. There is an apparent need, especially among the younger generations, to appear modern and progressive, and to disprove the labels of backwardness pinned on the highland groups by the dominant society.

Opportunities to work outside of the village have increased with the arrival of development projects and companies offering salaries and improved infrastructure—with easier access to the market centres that improved infrastructure has made possible. The arrival of logging companies offering money has resulted in many instances of collusion between individuals and loggers, with increased purchasing power forming the main motivation. Such behaviour has been encouraged to a certain extent by logging teams who visit individual farmers in their *chamkars* to ask for their assistance in return for some timber or cash. A teacher in Toen village reported that villagers could earn up to 10,000 riel ($2.50) a day if they could help the loggers identify luxury wood. He said that if he was clever enough and knew where the good trees were, he would also work for the company.

More long-term co-operation has also occurred, particularly when villagers have previously worked outside of the villages, for example as soldiers, and have then become involved in logging activities. These people perhaps have less sense of allegiance to the village, and also have a good knowledge of forest areas, thus making them a valuable resource to the logging teams. In Svay village the loggers gained access to the forest through a villager who had worked in the provincial capital Banlung for some years. The villager had led the company to the forests and had facilitated negotiations with the village chief, agreeing that the company would pay compensation to the village. However, the final pay-off from the logging ended up in the hands of this one villager who promptly bought a motorcycle with his profits.

Although such individualism may be nothing new in highland villages, it is now bringing a visible differentiation in wealth between villagers. Khmer jewellery, wooden houses, tin roofs and motorbikes all indicate the opportunities that have been available for the growth of personal wealth with the logging industry. The enticement to work with the loggers perhaps emerges from the increasing frustration highlanders feel at the seeming lack of control or entitlement they have over these resources compared to those who come from outside. The resentment at their exclusion from the general free-for-all is sometimes played out through the neglect of the traditional rules and taboos of the highland village, which are seen to be ineffective against the outsiders. The resistance of some highlanders is now directed against the indigenous itself, in an attempt to emulate Khmer society and share in their apparent bounty.

These attitudes contrast with the growing disillusionment and even despair of other community members, as the short-term economic gain of the logging negotiations is measured in contrast to the destruction of the forests. Ellen (1995:141) has

noted that often the uneasy co-existence between the traditional forest users and the loggers is in fact a common, if undocumented initial response by local people who are unable to comprehend that the forests could become limited goods. However, among some villagers in Ratanakiri there appears to have been a growing realisation during the 1997/8 dry season that the forests were becoming depleted and that it was becoming increasingly difficult to supplement swidden with forest product collection, despite the benefits of wooden meeting halls. When the loggers returned to Malik village in the dry season of 1997, the village chief told them that there were no more trees to cut. 'I told them that they could take our house posts if they still wanted logs, and we villagers would go and live in the forest.' The deputy chief of Toen village echoed these sentiments, saying that he would happily give back all their new buildings if they could return all their trees to the forest—a sure indication of the realisation of how little real 'development' the logging has actually brought them. It is these people who perhaps will increasingly turn to the invocation of the traditional spiritual ideology for negotiating their right to control certain tracts of forest (see Gezon, 1999). Ritual symbolism, such as the importance of spirit forests or ancestral graves, may be used to a greater extent in the future to argue for jurisdiction over forest resources. Since this paper was first written, villagers in Svay have been assisted by NGOs and the Provincial Rural Development Committee, with support from the Ratanakiri Governor, to demarcate spirit forests within a logging concession (see Colm, 2000).

Logging has also placed the governance systems of some highland villages under stress. Village elders, who in Tampuan and Kreung villages have traditionally played a central role in mediating over village conflicts, appear to be feeling their increasing exclusion from decision-making processes concerning the logging. This is a trend that has been encouraged to some extent by the fact that the positions of the village chief and deputy tend to be filled by a younger generation of Khmer-speaking men (White, 1995:21). With their links to the government structure it is perhaps inevitable that they have taken on more of a role in negotiating with outsiders, and as an elder in Ta Huey explained, the advice of the elders is increasingly being passed over with regard to the logging.

The lack of control the highlanders have over outside encroachment into their forests has also placed village leaders in equally difficult situations and there are indications that some have found their authority eroded by the incursions of the logging companies. In Toen the village chief reflected that before the logging began he had been able to lead the people well, but the logging had highlighted his lack of real power and he feared that the villagers respected him less. He also felt that there was little he could do to persuade the villagers from collaborating with the loggers. 'These sort of people have a house and a farm and food to eat but still they want to

get richer. They don't listen to the advice of the village leaders. But if there was a law from the government, then they would listen.'

However discordant the voices from the village, they are unified in one respect: the fact that it is the male voices that dominate. The male-biased systems of Cambodian society have infiltrated highland villages, and those holding the title of village chief and deputy are, without exception men. It is the men who are often able to speak Khmer and so are able to negotiate with the loggers, and the loggers themselves tend to be male, which mitigates against the involvement of women in the village response, as does their heavier workload (see Berg, 1998). One of the main timber barons in Cambodia, the owner of Pheapimex Fuchan, is in fact a woman, but at the local level men dominate the logging activities. The loggers themselves tend to be men perhaps due to the heavy nature of the work, and the protection provided to the loggers is through the military.

Women in both Tampuan and Kreung villages do take part in village meetings where in theory everyone is able to express their concerns and come to a decision. However, with the logging, the dynamics of village meetings have sometimes shifted. Women in Ta Huey explained that the women did talk together about the effects of the trees being cut down and how it was making people ill, but that only the men joined the meetings concerning the logging. They reasoned that this was because the meetings were usually held at the commune level and the women were often too busy to join. In Svay village the meetings about the logging were held in the village, and both men and women participated, although it appears that the village men made the final decision about the compensation they would request. A woman who attended one of these meetings explained that the men had suggested they ask the loggers for money for sacrifices and food, but the women had argued that the loggers should provide timber so that they could build a meeting hall. In the end the decision was made that the loggers would provide money, but this money was appropriated by the villager who was working with the loggers. 'If we had listened to the women we would have a good building in which to hold our meetings, but instead we have nothing,' the woman explained.

The women perhaps have more influence in the decision-making existing between husband and wife at household level. In Toen the decision to produce a document to protest against the logging was decided by the men, but women said that they agreed and encouraged their husbands to join the action. Both women and men thumb-printed the document. In Malik village women also spoke about how they encouraged their sons and husbands to go and stop the loggers and to demand compensation, but they themselves went to work in the *chamkar* as usual and so did not participate in the protest.

The face-to-face negotiations for compensation with the loggers appear to be carried out by the village men, and the villagers who have colluded individually

with loggers also tend to be men as they are the ones who venture to the more distant primary forests where the loggers are working. This means that the response to the logging, however varied, is largely decided and acted upon by men, a situation that could lead to increasing differentiation, in economic as well as social terms, between male and female villagers. Despite the fact the Tampuan have a matrilineal kinship system and the Kreung a bi-local system, these have revolved more around the contribution of labour to a family rather than to the direct inheritance of land (White, 1995:10–17). This is perhaps due to the fact that historically land has always been relatively abundant, whereas the ability to secure adequate labour in a family was more difficult and thus given a higher value. The old growth forests where the logging occurred are considered by the Kreung and the Tampuan to be a common resource, accessible to all. The forests are not perceived as belonging to any one village, nor are they transferred as property through male or female lines.

## 9. Opportunities for Change

Abu-Lughod (1990:42) has warned against the tendency to romanticise resistance, 'to read all forms of resistance as signs of the ineffectiveness of systems of power and of the resilience and creativity of the human spirit in its refusal to be dominated.' In line with her suggestion that resistance should be seen as a diagnostic of power, this paper has argued that the complexity of the highlander response to logging is symptomatic of the engagement between the local and wider structures of power.

The purported resistance of the Ratanakiri highlanders to the logging has been far from the actions of a unified group of people acting as the guardians of the forests. Rather it has been the multifarious response of a differentiated subaltern group in which each acts for the sake of his or her own best interests. The patterns of resistance have proved to be dialectical and contradictory in nature, both simultaneously resisting and supporting the existing system of state power, as the response has shifted in line with the changing values of the highlanders and the wider context within which they find themselves. As Bryant (1997a:194) has argued in reference to Burma, the picture that emerges is not a simple one of either scientific progress or the romance of resistance, but rather one of ambiguity and contradiction.

The longer-term implications of logging in Ratanakiri are only beginning to make themselves felt, and it is possible that the strategies of response will continue to shift and alter course as the short-comings of irregular employment and sporadic material benefits are weighed against the need for long-term livelihood security. It is possible that resistance tactics may also change or develop with the intervention and assistance of other external groups such as environmental or human rights organisations. The work of non-governmental organisations (NGOs) in the province has indeed spurred

on villagers to defend their own interests vis-à-vis the logging companies. In Svay village, for example, NGOs assisted villagers to demarcate their spirit forests inside the concession of the Hero Taiwan company after the villagers expressed concern that these forests were being logged (see Colm, 2000). This case demonstrates well how NGOs are able to increase the impact of village level actions by taking on a mediation role between the villagers and the authorities, and by developing more cohesive village-level action plans that can gain recognition and approval by the local authorities.

Alternatively, the perpetrators of the logging may readjust their own agendas, favourably or not, in response to the actions of the highlanders. On an optimistic note, the elucidation of the complex highlander response to logging could bring greater awareness to decision-makers of the different visions of community which need to be recognised if the highlanders are going to be given a chance for self-determination within the modern Cambodian nation. Rather than being 'eliminated' by development, the highlanders, like many minority peoples before them, can adapt to 'modernity' on their own terms. However, the decisions being taken today with regard to the forests of Ratanakiri are made with little or no prior consultation with the highland peoples. As the forests are rapidly vanishing, the opportunities for negotiation and choice by the highlanders within the framework of state power are also fast disappearing.

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## Chapter 11

# Pyromaniacs or Protectors: Changing Perceptions of Anthropogenic Fire Use for Natural Resource Management

**Megan MacInnes**

> Fire is part of humanity's heritage as a species, fundamental both to the technological base of human society and to its relationship with the natural world. . . . A grand dialectic emerged between fire-proneness of the biota and the fire capacity of humans such that they coevolved. If humans assimilated nature's fire into their biological heritage as a species, it is no less true that virtually all biotas have come to accept anthropogenic fire and not a few demand it (Pyne, 1993:245).

As Pyne (1993:245) eloquently states, an intricate dynamic between humans, fire and the biota has long existed and influenced landscape formation on almost all continents. Pollen and charcoal sediment records from northeast Cambodia reveal a long-term fire presence in the region with current frequencies at the lowest for 9,300 years (Maxwell, 1999). However no studies have investigated local anthropogenic fire of the area's indigenous ethnic minority groups. Partly due to this lack of information, there is considerable misconception within state and policy-making institutions about how these indigenous groups use fire as a natural resource management tool. This has resulted in a dominant narrative which assumes that forest fire is bad and criminalizes traditional burning, despite contrary evidence of the importance of fire regimes for maintaining dry-deciduous forest and savanna landscapes.

### 1. Fire!

This paper addresses some of these information-gaps and is based on ethnographic research conducted in two Bunong villages which aimed to understand their use of fire as a natural resource management tool. The research was conducted in partnership with WWF-Cambodia, the International Institute for Environment and Development

and the Forestry Administration department of the Ministry of Agriculture, Forestry and Fisheries. The field work was undertaken from October 2006 to January 2007, however, the conceptualisation of the project began long before as the researcher had lived and worked with Bunong people in Mondulkiri from 2002 onwards.

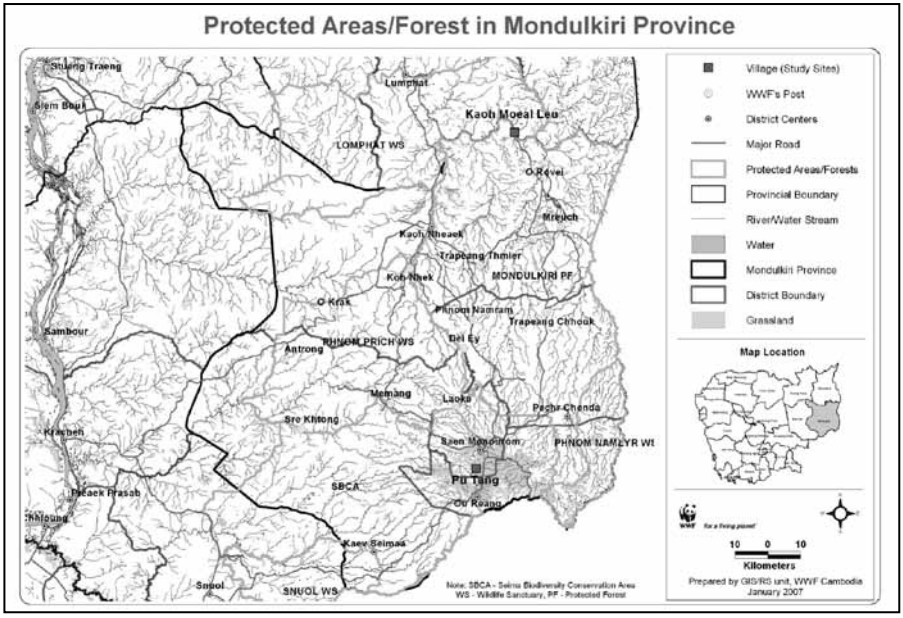
Mondulkiri province borders with Vietnam, Ratanakiri, Stung Treng and Kratie provinces, as can be seen from Map 1 below. Until the early 19th Century, the province was entirely populated by indigenous ethnic minority groups (Hickey 1982), however in-migration policies and war have increased the numbers of Khmer, Vietnamese and Cham peoples. Between 1998 and 2005 Mondulkiri's population increased by 53%; currently ethnic minorities are estimated to comprise only 60% of the province's population (estimated in 2005 to be 49,612 in total) but the Bunong till constitute the ethnic majority (DoP, 2006). Traditionally the Bunong are animist, matrilineal, matrilocal and lived in fortified villages of fewer than 10 households which moved every 5–7 years. Like many indigenous groups, their livelihoods were inherently diversified; relying on forest products such as resin, honey, medicines, meat, fish and elephant domestication (Nikles, 2006; AAH, 2003). Agriculture was based on integral, rain-fed shifting cultivation (*miir* in Bunong) which produces upland rice and other crops. All aspects of individual and community well-being and prosperity depend on maintaining reciprocal relationships with spirits by following correct rituals and procedures.

From the French colonial period (1884–1953) until today, indigenous groups throughout the northeast have been recipients of external policies attempting to civilise their lifestyles including: re-settlement in permanent villages near administrative centres; taxation and corvee labour policies; socio-economic development; and intensification of agricultural production to reduce *miir* cultivation, which was believed to be environmentally degrading (Melville, 2000; White, 1996:343; Colm, 1997; Guérin et al., 2003:X). As with the rest of the Cambodian population, the indigenous groups of Mondulkiri were devastated by the regional and national conflicts from the 1960s until the 1991 Paris Peace Accords. They became political pawns for all sides in the conflicts, the Khmer Rouge regime forced civilians to re-settle in Koh Nhek (the lowland, northern *srae*-rice producing area of the province) and forbade cultural practices such as animist religious ceremonies (White, 1996; Colm, 1997).

From an ecological perspective, Mondulkiri embodies the core area of Cambodia's Eastern Plains, a priority mature conservation zone within what WWF-Cambodia calls the Lower Mekong Dry-Forest Ecoregion (LMDFE) (Tordoff et al., 2005). This region has a distinct dry season of 5–7 months (from November to April), temperatures between 20 and 30°C and annual precipitation between 800–2,000mm (Maxwell, 1999:28). The majority of the province's ecology consists of a complex mosaic of open deciduous dipterocarp forest, mixed deciduous forest and semi-

evergreen forests, whilst the southeast of the province is known as the `Haut-Chhlong Plateau'; a savanna landscape of higher elevation, as Map 1 indicates (Maxwell and Pinsonneault, 2001). The LMDFE is considered to be globally outstanding in terms of species diversity, proportion of intact habitat and provision of down-stream ecosystem services (WWF-Cambodia, no date). Fire is recognised to be an important ecological factor throughout the area. Annual fire regimes are thought to be primarily anthropogenic, of high frequency and relative low intensity (Tordoff et al., 2005:19). Currently 73% of Mondulkiri (approximately 10,500km$^2$) is under some degree of biodiversity protection (see Map 1); the Mondulkiri Protected Forest covers 430,000ha, was established in July 2002 and is co-managed through the "Srepok Wilderness Area Project" by WWF-Cambodia and the Forestry Administration. As can be seen from the map, the study villages were selected to represent these two eco-systems. Koah Moeal Leu village lies in the centre of the dry forest, on the Srepok River bank, inside the Mondulkiri Protected Forest. Whereas Pu Tang village is located on the Haut-Chhlong savanna, outside of any conservation zone and near to the provincial capital.

**Map 1: Mondulkiri Province showing protected areas / forests, the two study site locations and the Haut-Chhlong Grassland Plateau.**



Current indigenous socio-economic status and livelihoods are driven by their varying responses to the war and more recent socio-political upheaval. Some Bunong focused on agricultural intensification such as adopting low-land *srae* rice production and cash crops when land was suitable, others focused on diversification such as increasing forest resource collection, resin in particular. However, for the majority, the transitional period into peace and economic development have not led to significant improvements and they continue to face desperate poverty, considerable food insecurities and only limited access to basic services such as water, healthcare or education. Today, in 2007, Mondulkiri province is rapidly changing. It is the focus of a major Government infrastructural development initiative which includes international transportation links through new border crossings with Laos and Vietnam, hydro-electricity generation, foreign investment in agro-industrial plantations and mineral exploitation (especially bauxite and gold). According to a recent assessment by civil society groups, these development initiatives pose a greater threat to indigenous livelihoods and social structures than those faced in any previous era (NGO Forum, 2005). Of particular concern are the alienation from ancestral lands and resources; criminalization of livelihood practices; and the destabilization of traditional governance institutions, customary rules and consequent social cohesion, as this study reveals.

## 2. Indigenous fire management: the emic perspective

The research findings and their analysis are presented in four separate parts: firstly key fire types used to manage natural resources are described; secondly emic perceptions of fire-environment dynamics are outlined; thirdly the strategies used to manage fire are summarised; and finally broader perspectives of fire within its religious, socio-cultural setting are explained. Before this a brief introduction to the study sites is provided.

### 2.1 Introduction to the study sites and key fire types used by the Bunong people

As can be seen from the demographic profile of the study sites provided in Annex 1,

- Pu Tang and Kaoh Moeal Leu villages differ considerably from each other despite the fact that they are both primarily Bunong populations:
- Pu Tang is larger and more ethnically homogenous than Kaoh Moeal Leu as it's Bunong members make up 98% of the population.
- Livelihoods in Pu Tang are more diversified, maybe because *miir* cultivation has a considerable hunger-gap. *Srae* cultivation in Koah Moeal Leu is more

productive, livelihoods are less diversified and households are more dependant on river fishing for nutrition and trade.
- Pu Tang has significantly more contact with both the positive and negative impacts of public and private sector development, though its livelihood practices are considered by both study site populations to be more traditionally Bunong than in Koah Moeal Leu.
- Pu Tang is outside any areas of biodiversity protection, whereas Koah Moeal Leu is located within Mondulkiri Protected Forest and is not yet a focal region for development due to its remoteness.

The Bunong describe *teuk neung pleung* (water and fire) as the essential foundations of life itself, and this research indicates just how important fire is for a range of activities; from cooking and boiling water to ensuring soil fertility for rice production, from decorating handicrafts to a form of traditional treatment for various types of sickness. Economically, fire is essential for collecting two forest resources (liquid resin and honey) which are sold to traders and considered indispensable sources of income during hunger-gap periods. Ecologically, utilization of fire centres on the concept of using fire to clean the environment; *miir* fields in preparation for planting, forest paths for easier walking and savanna grassland for vegetation control. In the Khmer language, the words for clean and beautiful are the same; however there wasn't sufficient time to discuss to what extent cleaning with fire is utilitarian or aesthetic.

Four key fire regimes were selected for in depth analysis as the foci of this study due to their ecological impact and livelihoods importance:

a. Burning *miir* fields (used in both villages)
b. Burning *sbov* grass (*Imperata cylindrica*) (used only in Pu Tang)
c. Burning savanna grassland (used only in Pu Tang)
d. Burning the dry-forest (used only in Koah Moeal Leu)

Table 1 provides a summary of the "praxis" of these four Bunong annual fire regimes.

### 2.2 Fire-Environment dynamics

Before analysing Bunong management of these fire regimes, it is important first to outline their understanding of fire-environment dynamics because this fundamentally underpins the logic determining management strategies employed. Almost all fires in the Eastern Plains are believed locally to be anthropogenic; no-one in Pu Tang had ever known of naturally occurring fires and in Koah Moeal Leu it only happened occasionally from falling stones or bamboo rubbing together, in the hottest season.

**Table 1: How the main Bunong fire regimes are used**

| Question | Miir | Sbov | Grassland Savanna | Dry-forest |
|---|---|---|---|---|
| Temporal, spatial and personnel | - March-April, burn midday.<br>- New and old sites, for 2–10 years (while cultivating rice), individual ownership. | - March, burn anytime.<br>- Grows near streams, often near fallow miir, individual ownership. | - January-March, burn evening.<br>- Where grazing, NTFP collection, collective ownership.<br>- Never burn evergreen/ semi-evergreen (unburnable) or spirit forest (taboo). | - March, burn day-time.<br>- Dry-forest areas where fish, collecting NTFPs, graze livestock, collective ownership.<br>- Never burn evergreen/ semi-evergreen (un-burnable) or spirit forest (taboo). |
| Comment | Burning depends on when vegetation is driest, seasonal calendars indicate that fires are used earlier in KML than PT village. Male and female fire-workloads appear to be equal with a geographical difference; women, children and the elderly are the primary users of fires near to the village, whereas men are the primary users of fires far from the village. | | | |
| Main objectives and supplementary benefits | - Ensure good harvest through:<br>• clearing area for planting<br>• maintaining soil fertility<br>• minimising weed re-growth | - Primary—thatching<br>- Secondary—hunting, forage greenshoot, clearing paths | - Primary—forage management for livestock and wild animals<br>- Secondary—clearing paths, improved visibility for finding NTFPs and livestock, hunting, traditional custom, fun | - Multiple:<br>• clearing area for planting<br>• forage management<br>• maintaining soil fertility<br>• improve forest quality (ease walking, quicker, safer, increased visibility)<br>• hunting wildlife |
| Impacts anticipated from fire suppression | - Crop failure:<br>• soil lose fertility | - Poor quality re-growth limits available thatch- | - Forage poor quality and re-growth is insufficient | - Vegetation build-up:<br>• walking slow, dif- |

| | | | | |
|---|---|---|---|---|
| | • planting difficult<br>• weed re-growth too fast<br>- Increased labour manually clearing vegetation. | ing.<br>- Difficult walking. | quantity.<br>- Vegetation build-up- difficult to walk, hides fever-transmitting biting insects, dangerous fuel load. | ficult, dangerous<br>• low visibility - finding NTFPs, livestock, wildlife<br>• dangerous fuel load<br>- Soil lose fertility, green-shoot forage re-growth poor. |
| Negative impacts of fire use | - Occasional accidental spread destroying property.<br>- Very rare spread to forest and animal death - traditionally a major taboo for specific species. | - Occasional accidental spread destroying property. | - Frequent accidental spread destroying property.<br>- Small animals sometimes trapped and die. | - Occasional accidental spread destroying property.<br>- Small animals sometimes die, larger animals escape.<br>- Tree seedlings can die, larger usually only loose leaves, only unhealthy large trees die |
| Management strategies applied | - Set head fire in average strength wind, topographically burn uphill as fire rises.<br>- Prevention - 2-3m firebreaks, informing neighbouring property owners to assist. | - No consideration of climatic / topographical conditions.<br>- Prevention - clearing overhanging branches, informing neighbouring property owners to assist, burning con-joining areas together. | - No consideration of climatic / topographical conditions<br>- Prevention - owner's responsibility to protect property near grassland, but fire-setters take extra care if burning in risky area. | - No consideration of climatic / topographical conditions.<br>- Opportunistic for reasons of expediency (don't monitor impacts), therefore no prevention measures required or even considered. |

The main finding from discussions about local perceptions of fire-biota dynamics is that fire is not believed to be a key driver of ecological formation; dry-forest, bamboo forests, savanna grassland and sbov areas will burn, but semi-evergreen and evergreen are un-burnable because: a) they have insufficient ground-level fuel and b) they have not been cut and dried so that their leaves are cold and therefore non-flammable. Fire temperature is perceived to be determined by wind, fuel load, atmospheric temperature and speed of the fire-line. Therefore *miir* fires are hotter than other types of fire because, as Table 1 above shows, they burn uphill through prepared fuel matter. High intensity fires are understood to kill a larger range of species, but are not perceived to negatively impact soil quality. Table 2 outlines perceived environmental impacts of fire.

**Table 2: Bunong perceptions of the impacts of fire on LMDFE flora and fauna**

| | |
|---|---|
| **Flora** | - In normal fires, tree and grass species in dry-forest, savanna and sbov areas are understood to re-grow stronger following fires but no species are recognised as pyrophytic<br>- Vulnerability and resistance of tree species to fire across the Eastern Plains depends on:<br>• Species type, for example resistance to fire or high resin content<br>• Presence of protective, un-damaged bark<br>• Age and size of tree (small seedlings are more vulnerable)<br>• Fire intensity, determined by fuel load and fire-line speed |
| **Fauna** | - Fire was not seen as an effective way of controlling insects or pests in the dry-forest, savanna grassland or *miir* fields, mainly because the pests are not thought to be present in the vegetation / crop residue when they set fires.<br>- Wild animals depend on the minerals found in ash from recently burnt vegetation |

## 2.2 Praxis and corpus: customary rules and management strategies relating to fire

This fundamental dichotomy between burnable versus un-burnable vegetation and the view that the majority of flora are stimulated, rather than damaged, by normal fires, then forms broader understandings about human-environment dynamics. For example, the common perception amongst government agencies and the scientific community is that the savanna area is degraded forest and without destructive annual fires, would return to a climax forest state: *"... slash and burn methods of the Mnong have long ago removed the mantle of heavy forest and formed a savanna grassland"* (Wharton, 1966:42). However, local understanding is different. Despite over 10 years of very limited fires on the savanna grassland

during the KR era, people said the tree: grass distribution remained the same (one interviewee said there were in fact fewer trees following the fire suppression); evidence, they believe, that the savanna grassland is not primarily dependant on anthropogenic fire.

The customary rules and management strategies for fire regimes appear to range from very strict rules regarding *miir* burning, to more relaxed, opportunistic management of dry-forest fires, according to the perceived risk to property (individual or collective), as is summarised in Table 3 below. It was noted that men are the key decision-makers for pre-planned fire regimes (*miir* and *sbov*) whereas the opportunistic fires (dry-forest and savanna grassland) appear to have no formal decision-making process.

**Table 3: Characteristics of management strategies employed**

| Dry-forest and Savanna Grassland fires | *Miir* and Sbov fires |
|---|---|
| 1. Opportunistic, done with expediency when conducting other practices, no cooperation with other actors. | 1. *Miir* pre-planned according to climatic conditions. Both dependant on cooperation with other actors. |
| 2. Equal decision making between genders (if a formal decision is required) | 2 Men key decision makers. |
| 3. Broad target areas found across landscapes, collective ownership of resource area. Frequent low intensity fires used to control fuel load, thereby minimising risk of infrequent, uncontrollable fires. | 3. Small, specific target areas within wider landscape which isn't burnt, individual ownership of resource area. |
| 4. Benefits and costs of effective fire management fire regime felt by all community. | 4. Benefits of effective fire management felt only by individual households, cost felt by all community. |
| 5. No management rules because no property is in need of protection, protection of vulnerable privately owned resources is the responsibility of the owner, not the fire setter. | 5. Are management rules and prevention measures strongly followed to protect property of fire setter and others. |

It appears that actual use of the four fire regimes selected therefore also falls into the two broad characteristic types outlined in Table 3, and also in Table 1. Firstly, in terms of tenure, dry-forest and savanna fires are collective (any community member can burn any areas which belong to the community) whereas *miir* and *sbov* fires are individual (used only by a household in relation to a specific area/resource belonging to them). Secondly, as all participants in both villages had personally experienced

fires which had become uncontrollable, the customary rules for fire management mainly focus on the responsibility of protecting property. For opportunistic dry-forest and savanna fires which are intended to be `uncontrolled' (in terms of having no pre-determined boundary), the onus is on the owner of property (house, *miir* field, *sbov* area etc.) in an burn-risk area to create fire breaks as protection. Whereas for miir and *sbov* fires, strict rules apply to those setting the fires:

1. Using fire breaks to prevent spread beyond the intended area; usually 2–3m strips of cleared (but not burnt) land surrounding the *miirite*. Thin strips of evergreen stands are also left to protect the field from encroaching grassland fires;
2. Cooperating with the owners of neighbouring property prior to setting the fire; burning conjoined areas at the same time or coordinating manual labour to assist and control. If neighbours are not free to assist, the burn is either delayed, or completed but with extra care and wide fire breaks.

Thirdly, management strategies appear to be related to the fire-environment relationship explained earlier. For example, fire breaks in *miirites* adjacent to semi-evergreen forest stands are viewed to be unnecessary because a) these remote sites pose only minimal risk to other's property, and b) they are located within *cold trees* (evergreen species) which are therefore non-flammable, as they have not been slashed. In dry-forest and savanna regimes, fire is both a controller and stimulator of vegetation and viewed as the only effective way to manage fuel loads which therefore reduce the risk of high intensity fires.

From a historical perspective, both villages believed their use of fire to have remained the same since their ancestors' time with an overall increase recently due to demographic growth. The exception to this was during the period of regional and national conflict (the 1960's until early 1990s). Fire use stopped, reduced or changed location due to the internal displacement by the Khmer Rouge regime and the restrictions placed on civilians to access remote areas (locations of traditional forest resource use). On returning to their villages in the mid-1980s, people believe thier use of fire returned to traditional patterns, except in Koah Moeal Leu where the slow adaptation from *miir* to srae rice cultivation hastened to the extent that today less than five household grow *miir* rice and therefore use of *miir*-fires has almost ended.

### 2.3 Kosmos and corpus—religious and cultural importance of fire

According to theories of anthropology and political-ecology (Blaikie and Brookfield. 1987; Biot et al., 1989; Kull, 2004; Toledo, 2002) we cannot fully understand the

praxis of an action unless we also understand the kosmos and corpus (socio-economic, religious and environmental importance) driving the behaviour. As the Bunong are primarily animist, they believe that the health and well-being of themselves, their family and the wider community depends on maintaining relationships with ancestral spirits and natural spirits in the environment. For fire use this means that traditionally a range of religious ceremonies were required before and after using fire to clear a new *miir*. The following is an extract from a Bunong prayer used by Elders during these ceremonies:

"Devour, O fire, down to the log,
Devour the foliage down to the log,
I do as did the Ancestor of bygone days . . .
I cut down the child of the plain, doing as did the Ancestors,
I cut down the child of the tree, doing as did the Ancestors,
I clear the forest and the bush, doing as did the Ancestors. . ."
(Condominas,1977: 178–179)

An ethnographic study of the Bunong people during the 1940s in Vietnam listed the following fire-related rituals for clearing new *miir* including (Condominas, 1977):

- households being prohibited from using water for the 24 hour period before / or after the burn;
- women not being allowed to set the *miir* fires;
- strangers prevented from entering the village on the day of the burn;
- village elders sacrificing a chicken during a prayer-ceremony to the *miir* spirits prior to the burn.

If these rituals were not followed then problems would follow such as incomplete burns, bad harvests, disease and bad luck. Comparisons of this research study's findings with Condominas' results indicate that today in both villages fire has a decreasing religious, social and cultural importance. Participants said that the reason for the reduction of spiritual importance of fire was that; a) young people are less interested in learning from the elders and wanted to do things in a Khmer way, and b) changing religious beliefs; they cant afford the financial burden of continuing to conduct expensive animal sacrifices to spirits which they no longer believe in. It appears that the most important religious belief today surrounding fire in Pu Tang (which is no longer followed in Koah Moeal Leu) is the taboo of accidentally killing particular species of wild and domestic animals during the clearing and burning of new *miirites*. Depending on the species killed, resolving this with the spirits either

entails an animal-sacrifice ceremony to cool down the soil, or abandoning the site altogether and moving to a new location.

Having outlined emic perceptions of fire as a natural resource management tool and how this has changed over time, the second part of this paper looks at the etic perceptions of indigenous fire and how the Bunong themselves interpret outsiders' views about their natural resource management practices.

## 3. Indigenous fire management: broader perspectives

### 3.1 Current outsider understandings of fire-related legislation and policy-making; government agencies, local authorities and non-government organisations

The research team received mixed opinions from local, provincial and national authorities about indigenous use of fire, which appear to fall into three categories. Firstly, there is an underlying anti-fire received wisdom which informs almost all institutional fire-related initiatives. Nationally, articles 36, 37 and 97 of the Forest Law (MAFF, 2002), 20 and 21 of the Environment Law (MoE. 1999; revised in 2001) and 6, 45, 55 and 57 of the Draft Protected Area Law (MoE) prohibit the intentional setting of fires in forest areas, protected areas or if they have the potential to damage natural resources (respectively). At a local scale, the Provincial Regulations for Mondulkiri Protected Forest (which includes large stands of dry forest) prohibits all activities other than biodiversity research within its core zone and allows only sustainable traditional NTFP harvesting in its conservation and sustainable use zones (MoI, 2006). One Commune Chief told the research team *"Burning [the dry-forest] is mainly a self-interested custom which has no benefit for the wider community"*.

Secondly, however, there is a counter-narrative in which local and national-level authorities recognise that fire is a key livelihood practice and a traditional custom which indigenous groups have legislative entitlement to. This clear contradiction with the dominant received wisdom is based on the acknowledged lack of understanding or consensus regarding the role which fire plays in landscape formation. On one hand, the most recent scientific evidence now suggests that dry forest formations are dependant on regular, low intensity fire regimes and research has revealed that current fire frequencies in northeast Cambodia are the lowest in the previous 9,300 years (Tordoff et al., 2005; Maxwell, 1996). On the other hand, some government representatives interviewed disputed the pyrolitic characteristics of dry forest ecosystems and cited the 2002 Forest Law as the only protective measure against bad forest fires. These contesting views centre around four key issues (Goldammer, 1990; Tordoff et al., 2005):

- the dominance of fire versus edaphic influences on deciduous dipterocarp and semi-evergreen forest boundaries, and savanna formations;
- the potential outcome of fire suppression on flora and fauna populations;
- to what extent natural (non-anthropogenic) fire regimes would follow the predicted pattern of occurring later and less frequently than current anthropogenic regimes;
- how future fires should be prescribed.

Thirdly, and most importantly, forest fire management is not viewed as a priority by the Forestry Administration or other Government Agencies. These offices are under-resourced and frequently struggle to deal with more urgent environmental threats such as illegal logging, wildlife trade and forest-cover conversion to agriculture. Neither of the 2002 Forestry Law's provisions for fire (issuing a Declaration to clarify fire use and establishing Provincial Level Forest Fire Fighters Committees) has yet been implemented. This study also noted confusion at local authority levels regarding which government agencies and levels are responsible for issuing and implementing "declarations" on fire use.

### 3.2 Current understandings of fire-related legislation and policy-making within the study-site communities

None of the community level participants could cite specific fire legislation, but were aware that outsiders believe fire is environmentally degrading. They could all recall receiving advice from their Village Chiefs about the potential dangers of fire; that they should either reduce their dependence on it, or burn only in remote areas. Both Village Chiefs interviewed positioned themselves in the middle; able to understand both perspectives. However it is clear that the communities themselves perceived their Village Chief to be an authority who was trying to incriminate fire-setters.
In summary, there is a complex inter-relationship between emic and etic views of fire use and the legislation related to it. Comparison can be drawn from indigenous anthropogenic fire in Madagascar (Kull, 2004). The political ecology of anthropogenic fire is not simply dichotomous, but creates slippery middles between the heuristic abstracts of state/peasant, criminalization/resistance and community/individual (Kull, 2004:269). As can be seen from the results above, in Mondulkiri this creates a gradation of opinion according to location, company and positioning. These slippery middles may explain the disparity between what the authorities know about the importance of fire for local livelihoods and for dry-forest ecology, in comparison to what they know about fire legislation created to protect forests from bad fires. This complexity is most strongly evident within the Commune and Village Chiefs

interviewed who signify the lowest level of government representation but generally come from the communities, and therefore negotiate these fluctuating narratives on a daily basis. The overall result of these conflicting discourses and practical limitations is an informal Government approach which focuses more on community awareness-raising of legislation and potential dangers of uncontrolled fires, than on legal enforcement. In effect, an informal policy of non-implementation of the law.

### 3.3 Problematising the changing context of fire policy-making

As is discussed above, local users of fire perceive very little change to traditional fire regimes, except the period interrupted by civil conflict. However, this status quo of continuing traditional practice which is enabled by a framework of weak legal enforcement is beginning to change. This is a result of growing pressure on land and natural resources from the increasing number of development initiatives in the Eastern Plains. Interest in this region's natural resources is growing in two main sectors: economic development, in particular resource extraction, and biodiversity conservation. Two current issues facing Bunong populations in Mondulkiri demonstrate the problems that Cambodia's contradictory policies can create:

- National and provincial level government agencies are granting an increasing number of economic land concessions to private sector groups for agro-industrial plantations, especially on the savanna-grassland of south-eastern Mondulkiri. As is evident from the research findings, this area is traditionally burnt to stimulate greenshoot for domestic livestock, for hunting and vegetation control. Traditional fire management places the onus of fire protection on the owner of the resource requiring protection; however concession companies follow an alternate model in which the fire-setter is responsible for the outcome of their burning. The result is that traditional practices are criminalized and local community members are being arrested for setting fires which spread and destroy plantation crops.
- It is certainly very encouraging that through this research partnership, WWF-Cambodia is taking a pro-active position in terms of improving understanding of local fire use and potential areas for policy development. However, due to scientific disagreements over the importance of fire for maintaining dry-forest landscapes, there is a lack of clarity over the role local communities will play in the future in managing fire regimes in core conservation zones. These are areas in which all access is prohibited except for staff activities and scientific research, but which still require prescribed fire regimes in order to maintain a deciduous dipterocarp forest landscape.

**4. Connections with international approaches to decentralising fire management**

The final part of this paper looks towards lessons which can be learned for the Mondulkiri context from other fire-prone landscapes. The anti-fire received wisdom found in Cambodia is an international phenomenon termed *Europe's Pyrophobia* by Pyne (1993:225). This paradigm, which has dominated 19th and 20th environmental policy, is informed by decision makers originating in fire-rare regions where fire is perceived to be an external ecological disturbance which is primitive and economically wasteful. This pyrophobia then generates further dominant discourses which place indigenous fire within a broader set of environmentally degrading practices used because of desperate ecocide; short term resource exploitation at the expense of long-term sustainability due to environmental ignorance and lack of alternatives (Blaikie and Brookfield 1987; Kull, 2004:26; Biot, 1989:16).
Documentation of the evolution of anthropogenic fire in southern Africa, Brazil and Northern Australia indicates that suppression policies based on anti-fire received wisdoms which do not actually reflect the ecological reality, can lead to deleterious changes to landscapes because (Goldammer et al., 2002; Price and Bowman, 1994; Preece, 2001; Yibarbuk et al., 2001; Laris, 2002; Russell-Smith et al., 1997, Mistry, 1998; Mistry et al., 2005; Moore et al., 2002):

- frequently the ecological integrity of specific sites is dependent on the maintenance of traditional fire management practices and such conservative anthropogenic fire regimes have proved an effective model for living in highly fire-prone environments;
- they ignore the social and ecological benefits of fire and the knowledge of its management held within local communities;
- they are rarely comprehensively implemented due to restrictions of capacity and resources, particularly in remote areas, which can lead to dangerous fuel-load build-up.

Studies undertaken by Project Firefight Southeast Asia investigated this further by assessing the potential for community level involvement in fire management throughout the region, and concluded that (Moore et al.; 2002):

- communities have significant knowledge of fire management, especially in areas beyond the scope of Government capacity and resources;
- despite this, policy responses largely ignore the social and ecological benefits of fire;

- effective decentralised alternatives depend on significant external support, for example, capacity building of indigenous governance institutions, ensuring security of tenure for the land and resources in question, and enabling the required changes to policy and legislation.

Decentralised approaches to fire management have been termed Integrated Forest Fire Management and Community Based Fire Management (Goldammer et al., 2002:34; Hoffman et al., 2003:5). These can range from state-orientated planning with limited local involvement such as the recruitment of local volunteer fire-fighting teams; through co-management which combines locally prescribed regimes with scientific modelling; to management planning and implementation coordinated primarily according to local requirements (Goldammer et al., 2002; Rakyutidharm, 2002).

Other work by the author further explores options for policy development of decentralised fire management in Cambodia (MacInnes, 2007a; MacInnes, 2007b), and key possibilities include:

- the considerable complementarities shared between the conservation organisations and the Bunong people themselves in terms of the understanding of fire-environment dynamics in dry-forest landscapes;
- as current fire-related legislation is incomplete, in recognition of the acknowledged lack of available data about fire-regimes and because of the existence of some sympathetic government agencies and individuals towards indigenous fire use, there is the opportunity to use the results of this study, and further research, to support a decentralised approach within future policy-making and legislative developments;
- the compatibilities of community-based fire management with the existing use of community-based natural resource management approaches by conservation organisations across the eastern plains. Strengthening the involvement of the Bunong and other indigenous groups in fire management would further enable improved tenure security which has been proven internationally to enhance overall governance of resources (Dolsak and Ostrom, 2003; Rakyutidharm, 2002). As has been shown in Thailand "managing the forest with the full involvement of community members is more effective for managing fire if it is an entrenched social responsibility in the first place" (Makarabhirom et al., 2002:12).

However, it is important to note that policy evolution trends also have the potential to restrict rather than broaden the space for decentralised fire management,

particularly in relation to the two drivers of increasing pressure on indigenous natural resource use outlined above. Firstly regarding the rapid economic and infrastructural development taking place across the northeast. Landscapes previously burnt annually by the indigenous population and used for a range for livelihood activities including forage for domestic animals and forest resource collection, are now being re-allocated to private entities for industrial development. Secondly, at an international scale, conservation policy-making trends have seen a recent return to fortress conservation approaches, partially in response to the specific combination of increasing pressures on natural resources evident in Mondulkiri (Hutten et al., 2005; Wilhusen et al., 2002). This approach essentially states that ecologically-friendly communities are a myth and that biodiversity conservation cannot be linked with economic development, but instead depends on areas free from human influence (Wilhusen et al., 2002). The outcome therefore is a reduction in the perceived legitimacy of community-based natural resource management (including fire management) to effectively conserve biodiversity, a re-centralisation of previously decentralised decision-making for protected areas, and a return to exclusion and enforcement policies.

The future for fire policy-making and implementation in Mondulkiri therefore is uncertain, but what is clear is that the previous laissez-faire approach is no longer appropriate. Experience in similar contexts indicates the broad range of benefits gained from including local communities in prescribed management of fire. However, the drive for economic growth, extraction of natural resources and cross-border infrastructural development is unlikely to provide sufficient time or social space to design a comprehensive decentralized fire management strategy for the Eastern Plains.

## 5. Conclusion

This paper aimed to describe the changing perceptions of indigenous use of fire as a tool for managing natural resources in Mondulkiri province, northeast Cambodia. It looked at the traditional praxis, corpus and kosmos of anthropogenic fire and then at the changing emic and etic perceptions of this natural resource management practice. The overall finding is that the Bunong view fire as a key natural resource management tool on which their livelihoods directly depend. Its suppression would negatively impact both household economies and the wider environment. Four key fire types were examined in depth*:* *miirbov*, savanna-grassland and dry-forest fires. With regard to fire-environment dynamics, *miir* fires are central to maintaining shifting cultivation nutrient-cycles, whereas in the grassland-savanna and dry-forest, the Bunong view fire as a landscape cleaner to reduce fuel load, increase visibility and safety, and ease walking. Therefore, although fire is recognised as potentially

dangerous to humans and the environment, there is a clear view that some species formations burn (deciduous dipterocarp) and others do not (semi-evergreen); in other words, fire is not viewed as a major environmental determinant. Fire management practice can be divided into two categories governed by different customary rules which are determined by the desired outcome, the resource tenure system and the perceived risk to property. Cosmologically, fire is closely associated with animist beliefs; however a de-spiritualization of fire appears to have occurred within a wider trend of socio-cultural adaptation amongst the Bunong, due to recent conflicts and demographic changes.

Bunong emic views of fire-environment dynamics in many ways mirror anthropogenic fire regimes found traditionally in dry-forest or savanna-grassland areas of Northern Australia, Southern Africa and Latin America. They are also comparable to recent scientific understanding of the ecological importance of fire for maintaining dry-forest landscape biodiversity. However, in spite of this scientific evidence, the State's views of indigenous anthropogenic fire-use, and therefore the rationale which drives development initiatives, remain dominated by an anti-fire narrative. Fire-related legislation and policy criminalizes traditional practice through its blanket ban on forest fires, and development project planning do not take annual fire regimes and their management into account. But these emic and etic views of fire are not simply an oppositional dichotomy. At the level of implementation authorities and people cross-over in a slippery-middle which accepts the legitimacy of some traditional fire regimes, despite their illegality. This localized laissez-faire approach is compounded by the regulatory authorities' lack of resources and their prioritization of other illegal natural resource use practices. The result is an informal policy of non-implementation of the law.

If Bunong people are going to be able to successfully guarantee their long-term land and resource tenure security in the face of increasing external pressures, then an essential step is to challenge mis-representations by outsiders of their ecological knowledge and practices. Through presenting emic fire management decision-making, explaining some of the fire-human-biota rationale which determines these strategies, and recognising the deeper socio-cultural and religious importance of fire itself, it is hoped that this study will help to challenge misconceived blanket anti-fire narratives.

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# Annex 1: Demographic and socio-economic profiles of study sites

| | Pu Tang Village | | | Kaoh Moeal Leu Village | | |
|---|---|---|---|---|---|---|
| Location | Romonea Commune, Sen Monorom District<br>Spatially spread across approximately 4km$^2$ on plateau | | | Nang Ki Leuk Commune, Koh Nhek District<br>Spatially compact in linear form along Srepok riverbank | | |
| Distance from provincial capital | 8km, 25 minutes by motorbike or car during dry season and 1 hour in wet season. | | | 145km, 7 -9 hours in dry season by motor-bike or 4-wheel drive vehicle, 2 days in wet season, access by motorbike only.<br>More easily accessible by river from Ratanakiri Province. | | |
| Demographic Data | | 2004* | 2005* | | *2004** | *2006*** |
| | *Total* | 647 | 643 | *Total* | 345 | 373 |
| | *Women* | 327 | 318 | *Women* | 170 | 183 |
| | *Men* | 320 | 325 | *Men* | 175 | 189 |
| | *Families* | 128 | 124 | *Families* | 60 | 72 |
| Ethnicity | 1 Stieng family, 122 Bunong and 5 Khmer-Bunong families (in 2006) | | | Majority Bunong, also Lao, Tampuan, Kreung, Kraol, Jarai, Ede and Khmer | | |
| Geographical characteristics | On north-western edge of the savanna plateau; *miir* cultivation in forested fertile valleys and savanna area used for forage and hunting. | | | On the Srepok river; srae cultivation within 5km of village, home-gardens on riverbanks and *miir* in dry-forest. | | |
| Livelihood practices | *Miir* rice production | | All HH*** | *Miir* rice production | | 5 HH |
| | Srae rice production | | 0 HH | Srae rice production | | No data. |
| | Resin collection | | 10 HH | Resin collection | | 8 HH |
| | Average hunger gap**** | | 70% HH = > 3 months | Average hunger gap**** | | No data. |
| Other | Private hydro-power generation for selected households. High presence of NGO and Government Development Assistance. Major tourist destination for elephant treks. Location for international and national video shooting.<br>Bordering with agro-industrial plantations. | | | Most easterly village on Srepok river in Cambodia, very limited NGO and Government Development Assistance. Currently no tourism, but has recently been selected by WWF for community eco-tourism and fisheries development. | | |

(* DoP 2006, ** Village Chief, Kaoh Moeal Leu, ***HH means `household', **** AAH 2003:75)

# Annex 2: Village Histories

This is a summary of the village histories provided by Village Elders during Repeated Observations and Focus Group Discussions.

**A. Pu Tang Village, Romonea Commune, Sen Monorom District**

Until the French colonial period the sub-villages which make up Pu Tang today were separate villages. Each subsisted of 3–4 households spread throughout the area and were named according to the stream beside which they were located. The name Pu Tang comes from the Pu Tang sub-village which originated near the Tang Stream in what is now Vietnam. During the 1980s when they returned to the areas after the Khmer Rouge internal displacement and all the sub-villages were requested by the local government to form one large settlement, Pu Tang was chosen as the formal name for the overall village as it was the only one which still had a living Village Chief.

Originally the sub-villages were located in the valleys; the wind was too strong on the tops of the hills for the houses to withstand and for easy livelihoods. All the people were Bunong and each sub-village was located near to their *miir* areas, therefore they moved approximately every 5 years when the *miir* location changed. Non-Bunong ethnicities (primarily Khmer) started living in the village after the 1980s.

People started living far from their *miir* fields during the French policies of sedentary resettlement, which stopped the Bunong from changing village location according to their *miir*. French administration justified this policy by saying people would be easier to manage if they lived only in one place. Another policy attempted to stop people from cutting down trees but everyone disagreed and continued doing it as they were dependant on cutting trees for NTFP collection. Historical NTFP collection is felt to be the same as contemporary use (mainly honey, rattan and resin). However, previously the honey was sold in Kratie town and the resin wasn't sold but used in the household in many ways including lighting and burning the *miir*. These-days they sell resin in Sen Monorom (transported by elephant) to traders to take it to Phnom Penh or Vietnam.

Everyone in the village moved to Koh Nhek District in 1975, because of the war—they didn't dare stay as they would get caught in the fighting and killed by the Khmer Rouge. In 1981 they returned from Koh Nhek, but only to Sen Monorom town as the security was too bad and the government didn't allow them to return to the remote areas. In 1989 they were allowed to return to the current location, but all the sub-villages had to be close together due to ongoing insecurities; this was when Pu Tang village was formed.

**B. Kaoh Moeal Leu Village, Nang Ki Loek Commune, Koh Niak District**

The village was originally called Koah Moeal, an entirely Bunong community of approximately 10–15 households which was located on the banks of the Srepok river, opposite Kaoh Moeal (Moeal Island) (about 5 km south-east of the current location of Kaoh Moeal Leu). The name comes from the fact that during times of conflict, for example fighting between the French and the Japanese during WWII, the village would move onto the island for security. During this period they named the years according to the *miir* location, therefore they don't know the exact years in numbers. Lao people moved into the village during the French colonial rule and married with Bunong women, they were followed by Jarai, Khmer, Tambuan and other ethnic minority groups. During the French colonial era people cultivated both *miir* and *srae* and also hunted and trained elephants for domestication (not as a food source, which is a serious taboo).

Kaoh Moeal Village gradually moved downstream to its current location. Some said the village split into Kaoh Moeal Leu (Upper) and Kaoh Moeal Kraom (Lower) during the post-colonial period (late 1950s), others in the village said this occurred during the 1980s, following the Khmer Rouge era. In 1970 everyone was forced to move to Koh Nhek District Centre as the soldiers were concerned that all the civilians would escape over the border to Vietnam, they returned to the current village location in 1993, following the national elections.

Bunong on the Srepok consider themselves to be Bunong Kraom, as opposed to the Bunong Leu who live on the plateau area. They see themselves as being different in a number of ways; they never lived in grass houses, they always lived in wooden / bamboo ones on stilts to avoid floods; they didn't move the village location as often as people in the plateau areas and don't burn the house and all belongings following an unexpected death. Instead, following an unexpected death, they conduct an animal sacrifice ceremony which the entire village attends. As they have been living with Lao people for a long time they believe there has been some sharing of culture and practices due to inter-ethnic marriage.

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There are approximately 12 different indigenous groups living in Mondulkiri, the largest is the Bunong, also known in literature as *Phnong* and *Mnong*. The Khmer are the Cambodian majority ethnic group. The Cham are a Muslim ethnic minority group based around the Mekong delta of Cambodia and Vietnam. *Miir* is the Bunong word for upland cultivation fields (slash and burn agricultural systems) in which periods of cropping and fallow alternate. Bunong *miir* cycles are understand to follow Conklin's integral criteria in which old sites are returned to following a 10–15 year fallow (Conklin 1954). Rain-fed upland rice is the primary crop, with supplementary fruit, vegetables and medicinal crops. Burning is essential for clearing and returns nutrients to the soil. *Srae* is the Bunong and Khmer word for traditional lowland paddy rice agricultural system in which wet-rice is the only crop cultivated in irrigated permanent fields where no burning is required.

> The LMDFE is defined as 'The landscapes characterized by habitat mosaics (at the large scale) dominated by Deciduous Dipterocarp Forest in Cambodia, Lao PDR, Thailand and Vietnam' in (Tordoff et al. 2005:3).

Emic refers to conceptualizations of behavior from the perspective of the actor, in comparison to Etic which refers to conceptualizations of behavior from the perspective of the observer.

Although Mondulkiri province has been the recipient of increasing in-migration of Khmer and Cham populations, this study deliberately selected villages which remained primarily populated by indigenous groups and therefore, the direct impact of Khmer culture resulting from this changing demographic profile were not investigated. The number of months of food shortage, based on the household production of staple crop (rice), during which money has to be raised (usually through NTFP collection) to purchase rice from the markets to feed the family. The majority of research activities used both Khmer and Bunong vocabulary therefore Bunong use of this Khmer term still has significance in terms of its translatability into English.

This study used the ethno-ecology "Kosmos—Corpus—Praxis" complex defined by Toledo (2002:514) to guide the formation of the methodology to enable an understanding of the wider soci-cultural, religious and political understandings of fire. This focuses on how humans view and appropriate nature through their Kosmos

(belief system, cosmovision), their Corpus (knowledge and cognitive systems) and their Praxis (set of practices) (Toledo, 2002:514).

> NTFP is Non-Timber Forest Product.
> PT standing for Pu Tang and KML standing for Koah Moeal Leu.
> A fire-line which burns in the same direction as the prevailing wind.
> Defines species dependant on fire for triggering growth, for example fire is associated with Teak (*Tectona grandis*) seed germination in MDF formations in Thailand (Tordoff et al., 2005; PFfSEA, 2003).

This is not to imply that the research methodology assumed anthropogenic fire to be static, traditional or unchanging. It merely represents local perceptions of how components of the natural resource management practices have changed during different circumstances.

> Zones defined by the Provincial Regulations (2nd February 2006) as: a) core zone a 90,746ha zone providing a secure area for both plant and animal species to flourish; b) conservation zone a 112,787 ha zone allows local people to harvest limited custom. NTFPs in a sustainable manner and c) sustainable zone a 69,236ha zone for local people to harvest traditional NTFPs sustainably

According to various national and international legislation such as the 2001 Land Law, other articles in the Forestry Law, the Community Forestry Sub-decree and the Convention on Biological Diversity to which Cambodia is a signatory.

Defined in this report as people not originating from the study site in question, which include Government Authorities, NGOs and other immigrants to the province. Given the case study approach used, Village and Commune Chiefs outside the two target villages were not interviewed to verify whether this phenomenon was existent in other areas. In February 2007 a young Bunong man from Dak Dam Commune died in the provincial prison awaiting trial for accidentally burning pine trees belonging to a Chinese Company's Plantation, the land of which is currently under dispute with local communities. He had been held awaiting trial for 18 months. A IUCN-WWF collaboration established following Indonesia's catastrophic wild-fires in 1997/8. This has been defined as a type of forest management in which a locally-resident community . . . has substantial involvement in deciding the objectives and practices involved in preventing, controlling and utilizing fires (Ganz et al., 2003:4).

The Declaration (Prakas) intended to support the implementation of fire-related articles of the Forestry Law has not yet been drafted and the Laws provincial-scale Forest Fire Fighters Committees have not yet been established. Both WWF and the

Wildlife Conservation Society, the two largest conservation organizations operational in Mondulkiri have strong community-based natural resource management components to their programmes. Leu means “upper” and Kraom means “lower” in Khmer language, usually paired to designate two locations, one being of higher altitude, or upstream, than the other.

## Chapter 12

# Customary Law, Traditional Authority and the Ethnicization of Rights in Highland Cambodia

**Jonathan Padwe**

The customs and practices of highland people in Northeast Cambodia in regard to law and authority differ in significant ways from those of the dominant Khmer Cambodian society and from the European or Western tradition. Highland practices sometimes complement or draw on these traditions, and sometimes offer radically different approaches to the resolution of conflict and the maintenance of order in society. While the divide between hill and valley in the region has probably never been as thoroughgoing as ethnographic accounts have suggested, the history of the region since the establishment of colonial rule has been characterized by the increasing penetration of state forms of authority over highland people. As a result, traditional forms of authority have come into conflict with forms of rule imposed by colonial powers or by the Cambodian state. One strategy to resolve this tension has been the identification, description, codification, recognition and promotion of customary law. This approach has new salience in the present international governance regime, under which the rights of indigenous people and other marginalized groups are asserted by indigenous peoples' organizations, international agencies, and non-governmental organizations, and are upheld or promoted by international treaties, the policies of multilateral institutions, and the individual laws and policies of countries. In Cambodia today, an effort by the United Nations Development Programme's Access to Justice Initiative seeks to support indigenous forms of authority and customary law through an investigation of indigenous conflict resolution practices and through the promotion of law and policy within Cambodia that would recognize and protect those forms of self-regulation.

## 1. Is it realistic to support customary law and traditional authority?

In the following pages I attempt to raise some questions about the implications of this strategy for highland people, and I make some connections between the effort now underway to support customary law and traditional authority in Cambodia and similar efforts undertaken elsewhere in the world and previously in the region. This chapter is *not* a historical account of colonial or post-colonial attempts to codify and institutionalize customary law among highland people in Cambodia. Nor do I seek to provide an ethnographic account of the practice of customary law or traditional forms of authority in the Northeast today. Rather, I hope to make an argument about the nature of attempts to govern ethnic minorities through the identification, codification, and implementation of customary or traditional law, and apply these insights to analyze the UNDP Access to Justice Project. My argument is that the identification of indigenous peoples' customary practices and traditional law, and the creation of laws and policies that formally recognize this tradition, represent a significant step in the establishment of a legal and policy framework based on ethnicity. Within such a system, all individuals in a society do not have equal rights; rather, one's rights, and one's ability to participate in the national project, depend on one's ethnic identity.

Projects such as the UNDP Access to Justice Project are overwhelmingly undertaken in order to support indigenous people and marginalized groups, and indeed indigenous peoples' leaders have advocated for such policies. Even so, in this chapter I want to point out that the awarding of different sets of rights to different groups of people based on their identity or their ethnicity is a departure in practice from the rhetoric of universal rights that is one of the important philosophical justifications for the existence of the modern nation-state. Indeed, much recent research has sought to demonstrate how the creation of ethnographic knowledge—knowledge about ethnicities, customs, language and religion—has been at the heart of projects by colonial or national elites to establish domination over marginal groups and make them more amenable to governing. Further, I want to suggest that the ethnicization of rights—and the encoding of those ethnicized rights in national law—has the potential to exacerbate conflict rather than resolve it, because policies that categorize populations into ethnicities tend to harden the boundaries between those groups and in the process to harden ethnic identities. They may therefore set the stage for future tensions across ethnic lines.

This is not by any means a new argument. Rather, I hope to demonstrate that insights into the processes through which ethnic identity becomes a basis for the distribution of rights—drawn from different locations and different colonial and postcolonial situations—are relevant to projects in present-day Cambodia. While I take as my example the Access to Justice program's ongoing research and policy-

making endeavor in Cambodia, insights into the ways that power is exerted through the creation of knowledge about ethnic others and the encoding of that knowledge in policy and law might also be applied to other projects undertaken in the interest of supporting indigenous peoples' rights in Cambodia, such as, for example, projects that seek to support the establishment of communal land rights. It may be disheartening to think that when indigenous people manage to have their appeals for rights enacted into laws, those laws may in fact serve to further extend forms of domination and rule into indigenous lives. Yet it is also useful to recognize that such projec

In the three principal sections of this chapter, then, I will 1) draw on existing literature to demonstrate the ways that ethnographic knowledge about customary law has contributed to the establishment of the ethnic categories through which governing is made possible in diverse colonial and postcolonial settings; 2) provide a brief background on the colonial legacy of these forms of governing in Cambodia and the highland region of which Northeast Cambodia forms a part; and 3) discuss the Access to Justice project in Cambodia and demonstrate the way that it continues this tradition and represents an example of the form of governing through ethnicity that I have identified.

## 2. Governing Through Ethnicity

### 2.1 Ethnicity as a category of rule

A byproduct of colonial histories and post-colonial realities, the tension between national and ethnic identity is a problem which many see as a threat to the integrity and stability of modern states and forms of government. Attempts to incorporate diverse groups and maintain their participation in the national project has thus been an overarching concern of states in their efforts to govern their subject populations (Weber, 1976; Anderson, 1991:187–206). In the legal arena, these attempts have taken place under the sign of legal pluralism: the notion that different forms of legal or judicial practice exist and are in competition with each other as a result of the imposition of Western law during the colonial period and the promulgation of a legal framework inherited from colonial powers by national elites in the post-colonial period.

The problem of legal pluralism is in fact common to many post-colonial settings, especially those in which national boundaries encompass multiple ethnic and cultural formations. Similarly, in many of these settings we see the emergence of efforts by colonial and post-colonial states to resolve the problem through some form of recognition of customary law. These efforts are (and were) at once practical approaches to the difficult problem of administering the multiethnic societies bound together within

newly imposed political boundaries *and*, at the same time, calculated strategies to impose rule through the aggravation of racial and ethnic tensions, historic rivalries and the like. The practice of divide-and-rule involved the formation and dissolution of shifting ethnic alliances, as colonial powers sought to eliminate rivals to their power and to establish efficient colonial bureaucracies staffed by capable elites from dominant ethnic groups. In post-colonial states these dominant groups inherited not only the power of government (and the opportunity to abuse it) that had formerly pertained to their colonial masters, but also the problems posed by the coexistence within the nation-state of culturally diverse subject populations and by the entire tradition of ethnicized political practices.

In recent discussions of the processes of state- and nation-making, scholars have emphasized the importance of knowledge formation in efforts to govern populations. The approach has drawn heavily on the work of Michel Foucault, and especially on his discussion of 'governmentality,' his term for the set of understandings particular to the modern world according to which the practice of governing has become a set of technical interventions directed at improving the lives of governed populations. In such a system, knowledge about populations provides the key to directing them in ways that improves the lives of their members and simultaneously makes them amenable to being governed. Here, we see the applicability of Foucault's insight that in such power relations, the other over whom power is exercised must be maintained as an acting subject, one who is given choice and provided with the ability to act within a certain set of possible responses. "To govern, in this sense, is to structure the possible field of action of others" he notes (Foucault, 1983:220–221; Foucault 1991 [1978]). Taking these views into consideration, it becomes possible to understand the preoccupation of states and national elites with such methods of governing as censuses, maps, cadastral maps, and various forms of surveys and tabulations of data about governed subjects. The categories used to identify different races, ethnicities, and religious groups not only made their administration more straightforward, they also marked the boundaries within which discussions about access to rights and expectations of behavior could be argued. Benedict Anderson, writing of the colonial state in Southeast Asia, notes that these categories represented 'possibilities' which came to be 'concretized' over time as they became the basis for forms of rule. The 'concretization of these possibilities', he notes (1991:185), 'have a powerful life today, long after the colonial state has disappeared.'

In French Indochina, as in the rest of the colonial world, the production of ethnographic knowledge played an important role in the exercise of colonial power. What is significant here is that where this knowledge was used by governments to formulate governing strategies, the resulting policy itself transformed the populations at whom it was directed. Research into the norms and customs of different

subject populations was carried out by administrators and experts who filtered the ethnographic knowledge they collected through their own preconceived notions of how indigenous societies operated. Orientalism, the body of expertise through which these ideas were filtered, is conceived by Edward Said to have encompassed both the 'scientific discipline in the West according to which beginning in the early 19th century one specialized in the study of various Oriental cultures and traditions' and 'the ideological suppositions, images, and fantasies about a . . . region of the world called the Orient' (Said, 1979; Said, 1985:90) The ethnographic 'facts' that were produced in this process then formed the basis for ethnic policy which formalized various institutions and practices while at the same time transforming them to fit the purposes of colonial rule. Nicholas Dirks's (2001:44) suggestion that colonial India was an 'ethnographic state' is thus applicable in some ways to most colonial states. The author argues: "The ethnographic state was driven by the belief that India could be ruled using anthropological knowledge to understand and control its subjects, and to represent and legitimate its own mission. By the late nineteenth century, ethnological knowledge became privileged more than any other form of imperial understanding". Ethnicity, if we follow this logic, is not merely the remnant set of affinities and primordial relationships that have survived the processes of modernity. Rather, ethnicity as a concept, and ethnicities themselves, are modern phenomena, the result of pre-colonial social orders, colonial and post-colonial governing strategies, and, importantly, the actions and beliefs of individuals and groups in response to those strategies (and, too, those actions that were not responses, but which were in any case designed with the ethnic ideal in mind).

When we look at these process of the categorization of subject peoples and the 'concretization' of those categories, it is important to understand that while these were important strategies in the establishment of colonial governmentality, these projects were never fully successful. Appeals to the rationality of scientific and governmental practice in the administration of the technocratic state, both in the colonial state and within the postcolonial field of development, always seem to have met with the reality of individuals and groups who had other ideas about their own identities, about their participation in the state and about their own 'development,' ideas that were considerably at odds with those laid out for them by government planners and development experts. Thus, as Tania Li (1999) and others have argued, we should see attempts to establish ethnicity, for example, as a category of rule less as a technique that was always successful, and more as a strategy which helped to shape future debate and which opened up a set of negotiations. The outcomes of these strategies, then, were, eventually, 'worked out' through various forms of social and cultural struggle.

### 2.2 Customary law as a technique of rule

It was not merely in the field of census and map making that colonial ethnic categories were concretized. The legal arena, which was, after all, where much of the work of control of populations took place, was an important site for the production of knowledge about ethnic others and the elaboration of policies to insure the administration of minority populations and to guide them towards 'improvement.' The work of Bernard Cohn has demonstrated in fine detail the workings of this process in colonial India, teasing apart the ways that the arrangement of highly detailed expert knowledge about the nature of their subject populations allowed for colonial experts to develop both the ideological notions of superiority and the technical understanding of local power arrangements that were necessary precursors to the exercise of power. Central to the transformation of knowledge into power was the conscious reinterpretation of various forms of legal knowledge into codified legal systems (Cohn, 1996:57–75). Cohn demonstrates, for instance, that colonial expertise on Indian law and history developed around a narrative of the decline of Indian society and state power that allowed the British to ascribe to themselves the lead role in stimulating development and revitalization. The codification of religious and social difference, and the assignment of various rights and responsibilities to various groups on the basis of caste, allowed for the construction and reification of a system of social hierarchy into which the British inserted themselves at the very top. This process was incorporated into a vital colonial cultural and social milieu, and was not confined merely to learned treatises on races and tribes. The process thus also involved the reconstruction of ritual and the production of performative celebrations in such a way that traditional iconographies and meanings were reassigned to indicate the dominant position of the colonial power within the society. In this sense, the enacting of cultural practices as well as of legal ones involved not the 'use' of existing traditions by colonial power, but rather the 'invention of tradition' through which culturally relevant practices were transformed or indeed fabricated (Hobsbawm and Ranger, 1983)

Culturally-determined notions about difference were also encoded into policy. A key domain for the production of ethnicized and racialized policy was the law, and especially the construction of different legal norms for different subject populations. The principal distinction established by these efforts was that separating settler and native, but also policy and legal practice also included the elaboration of different legal regimes for different types of natives. Ethnographic practice was critical to the establishment of these typologies and helped to buttress them with social 'facts' conceived of and legitimated within the newly professionalizing practice of ethnological and legal study of indigenous populations. Often in the name of pragmatism, different legal norms were applied to different races and cultures—races and cultures

whose existence, characteristics, customs and abilities were constructed through the representative practices of ethnographic and historical expertise. Notions of inferiority and cultural difference were critical to the effort, as we see in the statement of Thomas B. Macaulay. Macauly, a governor of India who was known for his progressive politics, noted that "the people are everywhere perfectly competent to hold some share, not in every country an equal share, but some share of political power." Yet in India, he noted, "'you cannot have representative institutions.' Thus the role of the British colonizers was "to give good government to a people to whom we cannot give a free government'" (Kolsky, 2005:631).

Similar processes occurred within the legal domain elsewhere in Asia and especially in Africa, where, with the introduction by the British of the system of 'native courts', customary law was more strategically deployed than perhaps anywhere else. As in Asia, in Africa "the customary law implemented in native courts was not a relic of a timeless pre-colonial past but instead an historical construct of the colonial period." African customary law was in fact constructed through the complex intersection of political agendas promoted by different groups, principal among whom were the British who sought to use the law to maintain order, and African elites who "shaped the law to meet their needs under changing political and economic conditions" (Merry, 1991:897). Efforts to support customary law in Malawi and Zambia became a critical strategy for the British during a period in the early 1920s when an "apparent breakdown in order" led colonial officials to see "the decline in traditional authority as a threat to the stability of the colonial regime". The perception of the importance and usefulness of traditional forms of authority and customary law during periods of political turbulence and 'apparent breakdown' of the social order marks an uncanny similarity with present day calls for the support of traditional law and customary authority during an age of 'failed states' and the seeming collapse of the authority of the nation state in the face of globalization.

According to Ludsin (2003:66),

> The colonial governments [in the area of present-day South Africa] recognized customary law for pragmatic reasons. First, the colonists feared that the majority of indigenous people would be unhappy under Roman-Dutch law, which would [cause unrest and thus] threaten colonial power. The British also recognized customary law because they believed that English law was too advanced to be applied to the indigenous peoples.

Yet the customary law that was applied was a compromised affair, in part because it was the product of research by colonial administrators conducted among the local strong-men and chiefs upon whom the colonial administration relied for the maintenance of order. Thus 'the official version of customary law described less

what people previously did . . . and more what the government and its chiefly rulers thought they ought to be doing' (South African Law Commission 1997: section 2.3.5 cited in Ludsin, 2003:72).

The transformation of customary law involved a series of strategic considerations, and its practice encoded a set of ideological beliefs about the inferiority of subject populations and the need to civilize them. In Africa the legal concept of 'repugnancy' provides some insight into this process. As Merry (1991:897) notes, customary laws and practices were generally allowed except when they contradicted British law or were "repugnant to natural justice, equity or good conscience." Inserted into the Acts and other measures that recognized or institutionalized customary law, so-called 'repugnancy clauses' stated that the law could be applied "only when customary law did not clash with 'the general principles of humanity observed throughout the civilized world'" (South African Law Commission 1998: section 1.3.4–5 cited in Ludsin, 2003:66). Under these clauses, certain punishments were excluded from the range of options allowed in indigenous courts, and certain indigenous cultural practices were outlawed and made subject to state sanction. Repugnancy encompassed a gamut of locally prevalent arrangements and practices, from polygamy and other marriage arrangements deemed uncivilized, to witchcraft and divination.

As several observers have noted, where post-colonial states have recognized indigenous customary law, these repugnancy clauses have remained in place. This maintenance of the notion of repugnancy is revealing. It demonstrates that within the context of the modern liberal state, the realm of indigenous custom and tradition is still understood as primordial and non-modern in important ways. The fact that large numbers of indigenous peoples themselves would find many formerly common practices repugnant also demonstrates that indigenous custom, and indigenous notions of justice, change over time.

The codification and institutionalization of customary law in colonial contexts also had important repercussions for the exercise of power by traditional authorities. Because much of the thrust of this process was directed at maintaining order and providing colonial administrations with local bases of power from which to govern, the interpretation of custom invented elites, and was at the same time manipulated by them. In colonial India, for example, the reinterpretation of traditional land tenure systems facilitated the establishment of certain classes of revenue collectors as landlords and their transformation into royalty (Cohn, 1996:57–75). Proponents of traditional forms of leadership, both in the colonial era and in our contemporary one, have often portrayed customary authority as a defining element of indigenous culture, one thus legitimated by indigenous people themselves. This portrayal has relied on ethnographic analyses of the structures which regulate indigenous society. Yet historically, traditional leaders have maintained their authority only insofar as

they were useful to colonial rulers and post-colonial regimes, e.g., for the conscription of soldiers, the provision of corvée labor, the levying of taxes and the maintenance of order and social control. Thus where governments have reconfigured the roles of chiefs, investing them with administrative abilities or the power of legal sanction, figures whose legitimacy was nominally based on a traditional role within society have maintained their positions only by serving particularly modern institutions of power. In South Africa, for instance, hereditary tribal chiefs found themselves increasingly dependent on the Department of Native affairs for patronage following a 1951 Act that recognized their authority. During this period, "their powers were increased while their legitimacy was being eroded" (Van Kessel and Oomen, 1997:563). Here again, we must not see state projects that sought to co-opt the roles of chiefs for their own purposes as completed, nor as total in their effect. Insofar as chiefs and the populations whom they were meant to represent had to live together, we can assume that their exercise of power was contested, as chiefs sought to maintain the power afforded to them by their national sponsors while still maintaining some of the legitimacy afforded to them by their own people.

This betwixt and between quality of the authority of customary chiefs, which was cogently presented by Gluckman et al. (1949) is analyzed in great detail by West and Kloeck-Jenson's discussion of traditional authority in post-war Mozambique. The *autoridades gentilicas,* the traditional authorities responsible for local government under Portuguese rule, relied on Portuguese support for their continued authority even as the Portuguese relied on them to maintain themselves in power:

> Traditional authority figures were selected, whether by the Portuguese or by preceding African conquerors, as legitimate representatives of their respective populations, and they depended upon the continuing recognition of their populations for maintenance of their titles; should an angered population protest that an *autoridade gentilica* did not truly represent his people, for example, he might be dismissed from office. . . By the same token, his legitimacy came to depend upon recognition by higher authorities (1999:475).

West and Kloeck-Jenson also, and importantly, demonstrate that the processes of imagining and instituting customary authority continued (and continue) to play an important role in the post-colonial setting. In Mozambique, the national liberation movement headed by the FRELIMO (*Frente de Liberação Moçambique*) struggled specifically against the traditional leaders, known as *autoridades gentilicas*, used by the Portuguese to maintain power. After assuming power, FRELIMO's socialist policies, especially including the 1979 Land Law, stripped this class of former intermediaries between the colonial state and the people of much of their power, marginalizing but not neutralizing them. Many of them then contributed their

considerable influence to the cause of the RENAMO (*Resistência Nacional Moçambicana*) insurgency. In the aftermath of the civil conflict that ensued, international donors tended to side with RENAMO, and urged power-sharing and decentralization, including the support for a role for traditional authorities in local governance (ibid, 455–464). As this support became institutionalized with USAID substantial support in national law and policy, and in development practice, a new politics of betwixt-and-between has emerged, in which, for instance, NGOs have made working with traditional authorities a "formulaic component of projects requiring popular participation at the local level" (ibid, 482).

### 2.3 From legacies of colonial rule to post-colonial conflicts of identities

An artifact, then, of cultural and historical processes, legal pluralism both poses a problem for the practice of 'governance' and also, like most such problems, presents itself as a point of entry for actors seeking to transform or improve that practice. It is also, however, a marker of fundamental differences between systems of law or traditions of order. And here it is important to note that categorizing sets of practices and beliefs through which a group may seek to maintain order and regulate society as 'law' is necessarily problematic. The category of law, through which Western observers have interpreted such practices, may map very poorly onto beliefs and modes of regulation that might correspond more closely to Western notions of religion, spirituality, honor, warfare, kinship, etc. This difference is often stated in terms of an opposition between Western systems of law based on the rights of the individual within society, on the one hand, and customary systems that are believed to be based on the stability of the social group and the maintenance of harmony within the community, on the other. Western notions of 'rights' of individuals do not always square well with practices understood to reinforce the social order through the subjugation of the rights of the individual to the harmony of the group. This tension between legal traditions, which is further enhanced by the incommensurability of individual and collective rights, is written into many of the new multi-cultural/pluri-national constitutions that have emerged in response to the recognition of indigenous and communal rights worldwide (Van Cott, 2000). The seeming contradiction in emphasis raises the important question of whether efforts to recognize indigenous customary law will help to resolve the conflict between customary and Western law, or will merely bring it into greater relief, escalating the conflict of values instead of reconciling it.

Where new legislation has sought to provide protection for communal rights and traditional authorities in the present day, a major concern voiced by critical observers of this phenomenon is its power to reify ethnic and cultural identities, legislating the

creation of political divisions between socially constructed groups. The continued promotion through law of distinctions between identities such as settler and subject, majority and minority, national and indigenous raises serious concerns about the ability of pluralist legal systems to resolve the conflict between stated ideals such as 'equal rights before the law' and the sets of differentiated legal (and cultural) identities written into that law. Commenting on the politics of ethnicity that frame the creation and implementation of the new South African Constitution, Comaroff and Comaroff (2005: 300–301) assert that,

> Customary authority does not live easily with the hegemony of the liberal modernist state. It sanctions alternative orders of law, of justice, of the use of force, of responsibilities and entitlements. . . The generic citizen of postcolonial South Africa may be the rights-bearing individual inscribed in the new constitution, also the rights-bearing individual—typically urban, cosmopolitan—presumed in much mass-mediated discourse. By contrast ethnopolities and traditional leadership speak the language of subjects and collective being.

They go on to suggest three probable outcomes of the 'collision' between the two tendencies—on the one hand the tendency towards universal rights of the citizen (the imagined citizen of the modern liberal state), and on the other the tendency towards collective being (in the 'ethnopolitical' realm of customary law). These three outcomes are: (1) the relevance of ethnically based arguments about rights and entitlements is likely to grow; (2) the tendency for standoffs between 'the kingdom of custom' and the liberal state is increasingly likely to be pursued by legal means. Finally (3), they suggest that "whatever pragmatic outcomes might be reached, these arguments will persist in pitting individual against collective rights, liberal universalism against culture, citizens against subjects. If anything, they are liable to reproduce rather than to resolve the paradox of pluralism endemic to neoliberal nationhood" (ibid, 302).

One problem raised by the tendencies that Comaroff and Comaroff identify is that standoffs between the kingdom of custom and the liberal state are not *only* pursued by legal means, but often by violent ones as well. Political scientist Mahmood Mamdani's *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (1996) demonstrates how the identities constructed and manipulated within the colonial context of indirect rule (and here he pays particular attention to the role of customary law in this process) formed the basis for the 'tribal' organization of political inequality in Africa, and laid the groundwork for resistance to the post-colonial order based upon those same 'tribal' forms of social organization. Yet Mamdani hardly finds these tribalized forms of politics emancipatory. Rather, in later work he traces the

roots of present-day ethnic violence in Africa to the ethnic identities created in part through this process. Ethnicities in colonial Africa, he asserts,

> (. . .) were governed through customary laws. While civil law spoke the language of rights, customary law spoke the language of tradition, of authenticity. These were different languages with different effects, even opposite effects. The language of rights bounded law. It claimed to set limits to power . . . The language of custom, in contrast, did not circumscribe power, for custom was *enforced*. The language of custom *enabled* power instead of checking it by drawing boundaries around it (2001:254, emphasis in the original).

Arguing that settler and native were not only ethnic identities, but also political ones, Mamdani maintains that those identities have remained in place, and, in the absence of white rulers, they have been occupied by new groups—national majorities and ethnicized minorities. For Mamdani, then, the idea of custom 'has been key to identifying, buttressing and salvaging a domestic authoritarianism as an authentic tradition.' The only way out, he argues is to rethink the institutional legacy of colonialism, and thus to challenge the idea that we must define political identity, political rights, and political justice first and foremost in relation to indigeneity (662–3)

In this discussion of customary law in the colonial and postcolonial state, I have tried to demonstrate some of the implications that official support for customary law may involve. The experiences and analyses I've described have relevance for current efforts underway in Cambodia today for two reasons: firstly, because similar projects were carried out in colonial French Indochina, and the legacy of those efforts can be seen today in the way that Western and national observers understand who Cambodia's ethnic minorities (or indigenous peoples) are and what their legal tradition consists of; and secondly, because the practice of ethnographic governmentality in Cambodia, and its pursuit through the support of customary law, bears much in common with similar practices elsewhere. As I have sought to show, this strategy of rule begins with the identification of ethnic others as populations in need of governing, often in the name of improvement. It is a practice that relies on ethnographic research and the development of expertise on the culture and structure of indigenous or ethnic minority culture, and the development of policy that encodes those notions within a set of authorized forms of cultural practice.

Customary law figures as one of the principal domains within which such policies can operate. And while these governmental practices are perhaps never fully realized, and the identities that they seek to maintain are perhaps never completely 'concretized,' their tendency is to define and harden oppositions between groups of people. On the one hand, the opposition between dominant and minority ethnicities

are reified and structured within a legal framework, through the distribution of varying forms of rights based on the categories developed through ethnographic practice. And on the other hand, the opposition between notions of individual rights that form the basis of the liberal state and notions of the collective entitlements of ethno-polities is found increasingly to be a point of political and legal contestation. The official reaffirmation of the categories of ethnic difference, indeed, the construction of legal identities of ethnic difference and their mapping onto the indeterminate and fluid boundaries of the identities individuals perceive themselves to embody, is at the heart of the problem. Whereas the effort to resolve the conflict between national law and customary law through the official recognition of customary law is always undertaken in the name of resolving an injustice done to groups whose interests are not adequately represented within the modern nation-state, the effect of such actions may be to exacerbate, rather than resolve, the tension between ethnic and liberal modes of organizing and governing society.

## 3. Highlander Customary Law in Historical Perspective

### 3.1 Historicizing customary law

The strategies embodied in efforts to legitimize the customary law and traditional forms of authority of ethnic minorities elsewhere in the world also formed an important part of the colonial experience in colonial Indochina and in the post-colonial states that emerged from the processes of national liberation there. Programmatic efforts to institutionalize highlander customary law have historically formed an integral strategy of attempts to establish colonial and military control over the region. Two elements of this history stand out when we compare present-day efforts to support customary law with those of the not-too-distant past. First, research by scholars, students of law, and bureaucrats has historically provided intellectual support for particular programs of governing ethnic minority subjects. And second, in order to justify desired forms of intervention, this research generated a set of ideas about what kind of people these highland people were, ideas that used essentialized notions of race and ethnicity to distinguish highland *autochthones* from their lowland neighbors. The striking similarity between historical and present-day efforts to support customary law is important for several reasons. First, as I indicated above, while advocates for indigenous peoples' rights have promoted the formal recognition of customary law and traditional forms of authority as a measure to protect the interests of indigenous people, the creation of legally sanctioned identities to which different sets of rights adhere may exacerbate rather than resolve the tension between ethnic and liberal modes of governing. Second, the continuity is important because the intellectual

roots of the movement to codify and support customary law and traditional forms of authority can be traced back to the encompassing project of social organization, colonialism, which was both an idealistic endeavor and an effort to establish domination, often through brutal means. As a result, we must be alert to the possibility that, however well-intentioned they may be, present-day efforts to institutionalize customary law may also serve to further exacerbate conditions of domination. And finally, the continuity between past and present efforts is important because vestiges of the long history of intervention into the practice of customary law and traditional authority are still discernible in indigenous peoples' and others' understandings of what their custom is. I do not mean to suggest here that members of ethnic minority groups today are unwitting dupes of processes through which their identities have been created. Indeed, individuals in ethnic minority societies have played important roles in the history of the region and many individuals are aware of and can provide insightful commentary about the ways that their own traditions and forms of authority have emerged and changed throughout recent history. As I have indicated, strategies of governing that propose certain types of ethnic identity are always contested and worked out. Rather, I simply wish to emphasize that the set of practices in use in the highlands today that might be classified as traditional forms of authority and customary law are neither traditional nor customary, but are, rather, the outcomes of historical and ongoing contestation and accommodation. In fact, whatever customary law and forms of authority exist in the highlands today must be understood as the outcome of an ongoing encounter between highland people and external actors, an encounter that has lasted centuries, and one in which external actors often had the upper hand. Because arguments in favor of customary law and authority tend to trade in the authenticity of these practices i.e., by asserting their legitimacy and relevance for ethnic others faced with imposed cultural change from the outside, it is important to recognize the compromised nature of this authenticity.

The use of customary law as an instrument of political expediency in the highlands has been investigated in great detail by the anthropologist Oscar Salemink, notably in his authoritative volume *The Ethnography of Vietnam's Central Highlands* (Salemink, 2003; see also Salemink, 1991, 1995, 2000). The practice of describing, cataloging, promoting and recognizing customary law varied according to the political necessities of a given moment or setting, but it was always associated with attempts to establish rule over the highlands by outsiders, French or Vietnamese, often as part of a strategy to divide the highlands ethnically and geographically from the surrounding lowland states. Because the knowledge generated by research on highlander custom and forms of authority was integrated into official policy and law, these efforts not only recorded customs, they also helped to forge highlander identity. Salemink's analysis helps us to understand the historical bases for Condominas' (1966:168) insights about

the *tribalization* of the highland groups as a result of these efforts, as well as the later movement to highlander 'ethno-nationalism' described by Hickey (1982).

During the early 20th century, the expansion of the French administration into the highlands saw the production of a number of texts on highlander society. The production of these texts was motivated by the need to understand the varied societies over which the colonial power sought to extend its rule. Influenced by contemporary thinking in French anthropological theory which saw the social norms governing the arrangement of society as a form of juridical social control, several of these early ethnographic studies were presented as studies of customary law. Dournes (1988:10) provides a list of early texts that were, essentially, analyses of customary law, including Canivey (1913), Cunhac's (1921) *Notice précisant certaines bases du droit coutumier en région Moï*, Adelé (1931), and Cassaigne's (1937) *Coutumier Koho*. These and other customary law descriptions were known as *coutumiers*. They were essentially codifications of the norms of highlander groups through a legal-ethnographic modality of writing that focused largely on the transgressions and forms of sanction through which highland societies maintained social order. These and later codifications emerged in concert with a series of customary law courts, called *tribunaux coutumiers*, the first of which was established in Kontum in 1913.

It was the efforts of Léopold Sabatier, who from 1913 on served as *Délégué* and later *Résident* in Darlac, which would have the most far-reaching effects on the field of customary law. Sabatier, like other administrators in the highlands, was faced with the daunting task of bringing order to an often rebellious and chaotic hinterland. In response, he introduced a strongly paternalistic policy by the French towards the *Montagnards*, which sought to win them over to the French cause. Darlac was an area dominated by the Rhadé (now often referred to as Edé), and it was Sabatier's opinion that the Rhadé, like other highland groups, were tending toward moral and cultural decline and were in need of French protection against incursions by Vietnamese, and by outside influences including Chinese traders and French missionaries. To protect the Rhadé from outside influence, he closed the province off to outside influence, while simultaneously devising programs to support Rhadé culture, language, and customs. In 1915 Sabatier oversaw the creation of a Franco-Rhadé school that trained the children of local elites to read and write Rhadé. He also made a study of the traditional verses and invocations used by the Rhadé during dispute resolution, which was published first in Rhadé as *H'Druom hra kley due* (Sabatier, 1927; the title means 'Book of litigations' according to Dournes, 1988:11) and then in a posthumous translation by the director of the Darlac Franco-Rhadé school, Dominique Antomarchi (Sabatier and Antomarchi, 1940).

For Sabatier, the codification of customary law was a critical strategy for the maintenance of Rhadé culture in the face of the domination threatening them both

from the ethnic *Khin* Vietnamese and from forces generated by the expanding French colonial presence. His policy with respect to Vietnam's various ethnic groups was 'to each their chiefs, to each their judges, to each their laws." (Circulaire du 30 juillet 1923, centre des Archives d'Outre-Mer, fonds du Résident Supérieur du Cambodge (ANC/RSC) 409 in Guérin, 2003:262). Salemink's quote of Sabatier's admonition to the Rhadé aptly captures the crux of his approach. The foreigners, Sabatier exhorted,

> Think that you don't have laws, but that is not true, for you have them like your ancestors had before; they had designed them to protect the land, the soil and the population of Darlac. But you have forgotten them, and the few—if any—among you who know them use them to confuse and repress the inhabitants . . . For this reason you have become cowardly and fearful; your villages are depopulated, your race is vanishing . . . So, if you don't want to be deprived of your lands, if you don't want to be the slaves of strangers, if you want your villages to become large and populated as in the past, then learn your laws, obey them always. (Sabatier and Antomarchi, 1940 in Salemink, 2003:81)

Yet the customary law recorded by French experts through their observation of local proceedings soon became transformed by the application of French scholarship to the subject. French interpreters held preconceptions about the *Moïs (*preconceptions that were in part inculcated in them through their training) that led them to translate local concepts and terms into equivalencies that made sense within the juridical framework through which they, as observers, understood the processes and systems they described. Furthermore, the French analysts of traditional law, most of whom held positions of authority within the French colonial government or within the Catholic Church, intentionally modified the texts of oral traditions to meet their own needs of what indigenous law should be. These modifications included, for instance, the sanctioning of authority figures through whom the French sought to exert control over an often rebellious population. The *coutumiers* produced by legal scholars thus interpreted local practices through the lens of the French legal tradition, and furthermore altered the legal tradition so that it would accord with French notions of propriety and guide the ethnicized subjects towards more exemplary forms of behavior.

These modified legal texts were soon used as the basis for deciding cases in the formal customary law court—the *tribunal coutumier* established in Darlac in 1923. As the success of the Sabatier reforms became known, similar policies were enacted throughout the highlands, at the urging of Sabatier and his backer Pierre Pasquier, the *Résident Supérieur* of Annam. As Guérin (2003:263) notes, "the policy defined by Sabatier and Pasquier would subsequently serve as a model for the other regions of the Union. *Délégués* and *Résidents* posted among the Mnong, the Jarai,

the Rhadé, the Bahnar, the Stieng, the Brao, etc. would record the customary law that they compiled, they would oversee the removal of Vietnamese, of Cambodians, and of Laotians, they would open schools" in native languages. By 1923, Salemink (2003:139) notes, the colonial administration had instructed the Residents to see to it that *coutumiers* were compiled for every ethnic group in the Central Highlands. Especially in Annam, these customary laws were being used as the basis for court proceedings, building a record of jurisprudence and case law that served as a basis for the administration of justice by *Montagnard* judges and French administrators alike.

In part because of the animosity felt towards Sabatier by plantation owners and other colonial investors and businessmen (an animosity that was reciprocated), the Sabatier reforms fell out of favor for a period during the 1920s and 1930s. Yet with the rising specter of Vietnamese nationalism and the expanding activities of the Viet-Minh, and following a series of uprisings and millenarian movements in the highlands that were interpreted as signs of political discontent, by the late 1930s support for customary law again came into favor, again in the service of establishing a direct relationship between the French administration and the *Montagnards*. This new emphasis on customary law formed part of a long-term strategy of territorialization of French power that would culminate in 1945 in the detachment of the *Pays Montagnard du Sud Indochinois* from the rest of Vietnam, and its rule under a *statut particulier*, or special status, until Vietnamese independence in 1955. The political realities of the period, including the appointment in 1937 of a new Governor General in Indochina by the newly elected Popular Front government in France, led to the production of a series of reports addressing '*la question Moï'* and establishing a policy for *penetration* in the *Pays Moï*. These reports and policy papers essentially recommended a return to the policies initiated by Sabatier, among which were included the defense of the *Montagnards* against incursions from the Vietnamese, efforts to sedentarize shifting cultivators, social assistance especially in the field of education and medicine, and the use of policies designed specifically for the realities of the highlands, including the implementation of customary law (Hugues, 1937; Guérin, 2003: 264; Salemink, 2003: 137). The new strategy resulted in the publication of a number of new *coutumiers* including studies by Gerber (1951), a young Jacques Dournes (1951), Guilleminet (1952) and Lafont (1963).

As in all ethnographic writing, the original transcribing of customary law involved multiple filtering processes—from the decisions by various authors of the *coutumiers* as to what practices were important elements of the tradition, to the translation of indigenous terms to match French legal terminology, to the detailed commentary and guidance for the implementation of customary law which formed an intrinsic part of the published monographs, from Sabatier on. Commenting on Sabatier's famous *coutumier*, Salemink (2003:82) notes that 'the selections, formulations and

translations not only reflected French legal concepts, but many 'laws' were even consciously modified or invented in a way which benefited French colonial rule.' The French experts on customary law consciously and intentionally transformed the law they recorded to meet with French strategic interests and notions of morality, and they were explicit in their editorial and transformative engagement with the laws that they were simultaneously recording, interpreting, and, at times, inventing. As Guilleminet noted, 'the principles stated in each article . . . are the result of a slow and progressive modification of customs that adapt by themselves, or by decision of the chiefs and assessors . . . to the new needs of the era, to the desire that the political Administration has to reform them without shocks' (Guilleminet, 1952:101 in Salemink, 2003:157).

As support for customary law went in and out of favor with varying French regimes, the changing political context had an effect on the actual content of the tradition. The original meanings of the series of poetic recitations, 'conciliatory sayings,' and cultural codes of conduct which were encoded into the *coutumiers* were further transformed as they became the basis for jurisprudence enacted in the customary law courts. There was, in essence, a feedback mechanism in place: first, the early codifications of customary law were used as the basis of legal proceedings overseen by indigenous judges; then, later observers used these proceedings to form their own understandings of what the traditional law was. Thus, according to Dournes (1988:11), the lengthy *coutumier* of the Bahnar published by Paul Guilleminet in 1952 was "concerned not with the people's customary law *per se*, but rather with the system of laws employed by the French colonial administration in its dealings with the Bahnar." Similarly, the *coutumier* of Jarai law compiled by Pierre Bernard Lafont, *Tilii Djuat* (1963), was collected by observing the proceedings of the customary law courts in Cheo Reo and Pleiku, and by conducting what would nowadays be called 'workshops' with the French-appointed Jarai judges charged with administering this law. The process of transcription, modification and institutionalization had so changed the content of 'customary law' that the *coutumiers* produced in the 1950s no longer attempted to analyze an oral literature that included a series of 'conciliatory sayings,' but rather presented second- and third-order political appropriations of these sayings as customary law itself.

It is important to recognize that while the 'feedback mechanism' I've described operated at the level of the official transcription and encoding of customary law, there is no good description of the ways that the official versions of customary law practiced in the *tribunaux coutumiers* was embraced or used in the village setting. That is to say that while an official version of customary law existed and affected a portion of the population, it almost surely never completely transformed the practice of conflict resolution or 'legal' procedures at the level of the village, and may have

had little effect in many areas. Lafont (1963), for instance, describes consultations with *Montagnards* 'judges,' so we can assume that the expertise they had developed through their involvement with the French-authorized customary law tradition circulated to the local or district level through their involvement in cases there.

The institutionalization of customary law was never as advanced in Cambodia as it was in Annam. Indeed, the area that is now northeast Cambodia was far more of a hinterland than much of the Central Highlands region in Annam, and French control over the region, or indeed interest in it, was significantly less well established than it was in what is now Vietnam. While the French took seriously their civilizing mission (and with it the instruction and improvement of the *races sauvages* whom they sought to elevate), its extension to the highland people in what is now present-day Cambodia was incomplete, hindered by difficult terrain, a scarcity of population, the presence of malaria, and restive populations who did not welcome the French presence and who succeeded in killing several administrators and explorers well into the 20th century (Guérin, 2003; see also Guérin in this volume).

Even so, following the (tenuous) establishment of French control in present-day Mondulkiri Province at the turn of the century, French colonial officers were instructed "to settle conflicts in accordance with the autochthonous customary law" which they were to learn through consultation with elders, known as *koragn* in Phnong (Guérin, 2003:79). There is evidence of similar instructions to French officials in other posts in the Cambodian highlands, including a 1905 instruction to the chief of the post at Siem Pang to respect local custom and allow the practice of customary law (Guérin, 2003: 139). While Cambodian law was eventually promulgated in Stung Treng and Kratie Provinces (which encompassed the present-day Ratanakiri and Mondulkiri), the vast log of cases reveals that Cambodian and statutory law was never imposed in any significant way on the highlanders, who were only participants in legal proceedings that involved cases brought by or against Cambodians, Laos, Chinese or Vietnamese, or those involving banditry or murders in which the French authorities sought to quell possible unrest. Where we have evidence of the use of customary law in what is now Cambodia, the French interpreted it as they did in Annam, that is, they interpreted it largely in the service of their own political and moral agenda. Executions, slavery, reprisal raids, sorcery and trial by molten lead were all made illegal. Justifying the extension of French rule over colonial Indochina on the grounds of the moral legitimacy of their 'civilizing mission,' the administration spent a great deal of effort attempting to eliminate slavery and debt-servitude, an effort that proceeded quite slowly, given that slavery was totally integrated into the customary law of the [highlander] populations (Guérin, 2003:146).

In assessing the content of traditions of customary law in Cambodia, we must also take into consideration the flow of history, people and cultural information back

and forth across national borders. These borders, which have shifted position over the years (and which continue to shift today), have never truly contained the flow of people or of ideas in the area. We know, for instance, that ethnic groups have travelled back and forth across these borders continuously during the past century, and that they have also chosen to settle on one or the other side of a border when political conditions there were favorable (Guérin, 2003: 134–5). Thus while the customary law practiced in Cambodia did not face the same kinds of active manipulation as did that of Vietnam, it seems likely that ideas about customary law, including the oral tradition, the nature of rules, the forms of punishment, etc. were included in the kinds of cultural data that passed back and forth across borders. Further ethnographic research is needed to determine the nature of these exchanges, and it may simply be too late to know if the ideas about law that travelled in this way included ideas about law that were influenced by the official versions of customary law that French ethnographic practice had formalized.

### 3.2 From history to critique of customary law

This abbreviated historical contextualization of customary law in the region allows for several observations with relevance for present day efforts to support traditional law. The first of these, as I have tried to show, is that support for customary law never occurred in a vacuum. It was always a tool for governing, and it was always tied to a political ideology, such as the urge towards improvement encoded in the *mission civilisatrice,* and to a political strategy, such as the detachment of the Central Highlands from the lowland areas when that strategy served a military purpose. Perhaps more importantly, colonial intervention and the political projects for which customary law became an instrument transformed indigenous society in far-reaching ways. These transformations were never merely the result of machinations by the colonial state or later governments, but were rather the result of a series of encounters and negotiations among many actors. Important outcomes included the imposition of the notion of the tribe as a form of social organism, and the conceptual opposition of these tribes or ethnicities to those of the lowlands. As Condominas (1966:167–8) writes:

> Colonial conquest ruptured not only the small-scale partitioning [*cloisonnement*] of these miniscule groups, but also projected them into the colonial social space. In fact, it is not merely a question of an imbrication within an empire or within the territory of an empire, but rather a remodeling of the whole society. . . . Owing to the necessities of administration, the cantons were regrouped into tribes: the unity of language and culture accentuated the effect of this forced opening and led to *tribalization* (in contrast to the detribalization that was so deplored elsewhere). . . . Alongside of programs animated

> by a real spirit of defending Montagnard interests . . . one sees the implantation of the political problem of 'divide and rule': stimulating the antagonism of the Montagnards vis-à-vis the people of the plains allowed [the colonial administration] to install itself in politically secure positions.

This process of tribalization, which has been expanded on by both Salemink and Hickey (in his discussion of the emergence of ethno-nationalism), thus constructed and reinforced highlander ethnic identity, while at the same time promoting sentiments of antagonism towards the people of the plains. In the legal arena, as governing powers sought to instrumentalize customary law, the codification of law *by ethnic group* tended to reinforce the notion that hard cultural boundaries divided language groups into tribes or separate ethnicities. The understanding of customary law that emerged from this process overlooked the fluidity, the flow of cultural information, and the adaptability that characterized those systems. The processes of transformation involved not only the instrumentation of a system of customary laws, but also the realignment of the 'traditional' authorities responsible for leadership in highland society, incorporating the loose structures of village social organization within the larger political apparatus of the district, province, colony and nation.

A second observation, that I have also tried to stress, is that successive reconceptualizations of customary law changed peoples' understandings of that law. As customary law became a tool of political expediency, it was subjected to a series of transformations that allowed it to serve new purposes within the radically new colonial setting. This began with the reinterpretation of the body of oral tradition, conciliatory sayings, and customs as a set of rules and laws. Added to this was the application of French notions of morality and proper behavior, through which the laws were filtered and interpreted. Guérin's observation that slavery was 'totally integrated into customary law' provides the perfect example of this. While slavery, sorcery and other practices that the French found unsavory formed integral parts of 'traditional' society, customary law as it was recorded and implemented served a colonial policy that sought to eliminate these practices at every turn. The erasure from codified customary law of practices which were thought to be uncivilized and immoral by the standards of colonial administrations falls under the category of what came to be known as 'repugnancy' in other parts of the colonial world.

As a result, we must understand that customary law is in fact a cultural production that has emerged from a long encounter with outside forces: like all social practices in the highlands today, it is an institution with a decidedly colonial past. A report by the *Commis des Services Civils de l'Indochine* about present-day Ratanakiri and Stung Treng noted that while the *khas* (savages) did not have any legislation of their own, '[they have] conserved the procedures of the Siamese who are moreover a great

influence on them,' and, furthermore, 'the Laotian legislation is equally known to them' (Bruel, 1916:30). Here again we see that highland notions of justice and the rules they used drew on, and emerged from, their encounters with others. Given this history, we must not consider indigenous customary law an 'authentic' production of a culturally isolated people newly faced with challenges from the outside world. Rather it would be truer to see today's customary law as the outcome of a historical encounter between various groups of highlanders and the outsiders with whom they were in contact, and who often exerted a somewhat compromised domination over them. The norms, ideas, and practices which are today presented as traditional were worked out, and continue to be worked out, through such encounters.

My purpose in drawing out the transformations made to official versions of customary law is not to suggest that the customs and practices of highland people in Cambodia today look the way they do simply as a result of erasures and alterations imposed on them by colonial powers. Colonial transformations of this sort never reached many highland villages in Cambodia, and, furthermore, highlanders have themselves been agents of the political and cultural changes that they have experienced. We may furthermore assume that as highlanders came into contact with new notions of justice and new norms of behavior, they adopted and perhaps transformed those which seemed useful to them; highlanders in Cambodia today often voice this understanding. Rather, I want to stress that, just as in other parts of the world, the process of recognizing and claiming legitimacy for customary law was part of a larger process of ethnographic state-making. Furthermore, just as in other parts of the world, these processes formed part of a larger strategy to control conflict and to contain the divisiveness that threatened the advancement of colonial power.

In assessing the nature of highland customary law as the outcome of a process of struggle and compromise, it is useful, too, to bear in mind that the custom which this tradition emerges from was one that does not strike observers today as a model upon which to construct a tradition of human rights. Historical analysis of customary practices dispels some of the romance that Westerners tend to impart to indigenous society, either consciously or, more frequently, unconsciously. Here is Cupet's account of one customary law proceeding, based on his observations in the early 1890s:

> The most frequently used judicial tests are those of water and molten tin. For the former, two sticks are planted in the bed of a river which is sufficiently deep. The two adversaries each grab one, in order not to have to fight the currents, then, when a signal is given, both plunge under the water. The one who comes up first is guilty. For lack of a river, one can have recourse to the test of molten tin. Here is a fact which I was told in Ban Dôn. A rich inhabitant refused a poor devil a small service. Some time later a member of his family fell ill. He accused the solicitor of having cast a spell and forced him, in

> order to justify himself, to dip his hand into molten tin. 'If he is not burned,' he stated, 'his innocence will be accepted; the spirits will never let anybody but the guilty ones be punished.' The unfortunate man, whose belief in the justice of the spirits is not very great, admits his imaginary crime rather than try the thing out, and he is sold as a slave. (Cupet, 1998 [1893]:85)

Adhemard Leclère provides a similar account:

> The guilty party is arrested, led before all the men assembled to judge him, including those close to him, and according to the case, he is condemned to be sold, or to be killed, and is massacred in the field. In certain doubtful cases, he is kept for trial by ordeal. Flight [of a servant] is punished by a fine; adultery, by the punishment of enslavement to the husband or sale outside the tribe; an insolvent debtor, who is known to have no intention of paying and who lacks numerous protectors, may be arrested, both he and all his family, and sold outside of the tribe. I have on more than 20 occasions had to occupy myself with such affairs. Witches and sorcerers—the latter more rare than the former—are made to undergo trial by molten lead which is poured over the hand. If the hand is burnt, the accused is convicted; if it is not damaged, she is proclaimed innocent; if the accused rejects the ordeal that she fears and that could be no other than disfavorable to her, she is convicted. The punishment is that of death inflicted outside of the village, away from all the habitations . . . (Leclère, 1898:161–2 *in* Guérin, 2003:27)

The accounts of Cupet and Leclère are clearly shaded by their authors' experiences as agents of the French administration, and should be interpreted with that positionality in mind. Yet while they are old, these accounts are not merely archaic—the practices they recorded survived (and continue to survive) well into the 20th century. Gerber's (1951) *coutumier* of the Stieng continues to mention trial by ordeal using molten lead, and highlanders today continue to use the ordeal of submersion under water to determine guilt. The accounts raise important issues. First, they alert us to the possibility that within the field of customary law, as within any other kind of law, the wealthy and powerful can (and do) manipulate the system to their personal advantage. Second, they show us that traditional law developed within a society in which the belief in sorcery was quite strong and in which forms of slavery and debt servitude were prevalent. Indeed, customary law seems often to have been designed to regulate these practices. Finally, they alert us to the fact that cases were often decided using practices that would seem arbitrary, superstitious and cruel to most Western and many indigenous observers.

This discussion of the historical tradition within which customary law and traditional authority has been constructed and used within the context of attempts

to govern the highland region of which northeast Cambodia forms a part provides some context within which to understand current attempts to promote traditional law for the sake of improving the lives of highland people. While Cambodia was never subject to the same level of intervention that the neighboring Central Highlands received, none the less it is instructive to observe that efforts to implement some form of customary law have been an element of governmental policy in the region for over a century. It is also useful to observe the similarities between the approach that has been pursued here and in other colonial and postcolonial encounters. These similarities alert us to the operation of similar techniques of government in Cambodia as are at work elsewhere in the world—techniques that transform the categories of identity and ethnicity into categories through which government is undertaken. These similarities also raise the possibility that present-day efforts to gain legitimacy for customary law and traditional forms of authority, while well-intentioned, may open the way for similar effects: the attachment of rights to ethnic identities, the hardening of those identities, and the aggravation of ethnic tensions instead of their resolution.

## 4. Access to Justice

### 4.1 The Access to Justice Program of the United Nations Development Programme

Access to Justice (referred to by the acronym 'A2J') is an international initiative of the United Nations Development Programme that cuts across regional and departmental boundaries at the organization. The approach has been undertaken and guided by the Democratic Governance focus area of UNDP, and has been promoted through the institution's Oslo Governance Center, and, in Asia, through the Asia-Pacific Rights and Justice Initiative run out of UNDP's regional center in Bangkok. The program is also linked to several other large organizations and initiatives, including the Office of the High Commissioner for Human Rights and the (UN-sponsored) Commission for the Legal Empowerment of the Poor. Access to Justice programming, partially funded by a line item for Access to Justice and Human Rights in UNDP's Democratic Governance Thematic Trust Fund, has supported projects in a wide range of countries including Sierra Leone, Guatemala, Iran, China, and Georgia. Activities supported by the Bangkok Regional Centre have included projects in Mongolia, India, the Philippines, Vietnam and Cambodia (UNDP, 2004 and 2005; CLEP, 2007).

The ideas underlying the Access to Justice Programme will be familiar to anyone working in development presently. Policy papers and analyses produced by the program make the case for a 'rights-based approach' to development, and assert that overcoming poverty is meaningless, if not impossible, in the absence of access

to justice for poor and marginalized people. As Access to Justice Adviser Rajesh Choudree noted at a recent conference, the struggle for poverty requires development practitioners to become 'evangelists for justice' (Choudree, n.d.: 2). The emphasis of access to justice programming is on the poor and especially on marginalized groups, who are often disadvantaged when they seek redress from the national justice system. Examples of marginalized groups targeted by the program include migrants, people living with HIV/AIDS (assigned the unfortuitous acronym 'PLWHA'), women, slum dwellers, and indigenous people. Access to Justice programming also focuses on supporting various forms of alternative dispute mechanisms, conflict resolution and other aspects of the 'informal' legal system, because "informal and traditional mechanisms of justice are often more accessible to poor and disadvantaged people and may have the potential to provide speedy, affordable and meaningful remedies to the poor and disadvantaged" (UNDP 2004:4). With respect to indigenous people, a practitioner's guide notes that:

> Indigenous peoples and minority groups (ethnic, religious, linguistic, etc.) are often marginalized by the State and society. Their culture and traditions are commonly ignored, or worse, systematically erased. Dominant groups have historically pursued various policies of assimilation, apartheid, oppression or discrimination. The rights of indigenous peoples and minority groups are often unprotected and they face considerable obstacles when they attempt to seek justice through formal channels (UNDP, 2005:165).

Access to Justice programming directed at indigenous peoples thus tends to encourage the support of traditional and non-formal justice mechanisms such as customary law. As an A2J Practice Note (UNDP, 2004:8–9) indicates, "in some societies, the disadvantaged and other marginal groups prefer the traditional justice system over the formal one [and] in such societies traditional and customary systems usually resolve 90 per cent of conflicts." Access to Justice projects, then, are encouraged to assist developing countries to "establish clear laws protecting indigenous peoples and minority groups," and to "work with traditional and indigenous justice systems." Projects are encouraged to assist in documenting indigenous traditional law and to support the recognition of that law by governments.

In Cambodia, the Access to Justice Project is a joint undertaking of the Cambodian Ministry of Justice (through the Council of Legal and Judicial Reform) and UNDP. The three-year project, which has a budget of USD 1.6 million, works in 20 communes in Kompong Speu, Kompong Chhnang, Ratanakiri and Mondulkiri provinces. The project "envisages an integrated formal and informal justice system in Cambodia that will become functionally effective, more responsive and more accessible especially to the poor, to women and to indigenous people" (UNDP Cambodia 2006:1–2). These

three marginalized groups are explicitly identified as the three target groups for the A2J Cambodia program in the document that forms the basis for A2J activities in Cambodia, Yrigoyen Fajardo *et. al.*'s (2006) report, *Pathways to Justice: Access to Justice with a Focus on Poor, Women and Indigenous Peoples*. The *Pathways* report is an extensively researched framing document that presents the Access to Justice concept within a Cambodian setting, analyzes the problems of legal access for marginalized groups in Cambodia, and provides recommendations for future policy programming by UNDP and the government.

In addition to providing a detailed analysis of the problem of access to justice in Cambodia, *Pathways* provides an explicit accounting of the operating principles upon which the program is based. By delving into the analysis presented in the report, by connecting the ideas in the report to the ideas developed within the global Access to Justice network, and especially by looking at the ways that the report constructs and recommends intervention into the field of indigenous customary law, we get a sense of the ways in which the Access to Justice program forms part of a longer historical tradition of intervention into 'indigenous' society in the states that make up the former Colonial Indochina.

### 4.2 The Role of Government in Providing Justice

As with perhaps all policy or governmental undertakings that seek to effect change among indigenous people, the *Pathways* report encodes a number of ideas about the appropriate form of government in Cambodia, and about who 'indigenous' people are. The identification and production of a certain kind of indigenous society is a necessary precursor to the formulation of strategies through which to govern them. The assertions and recommendations made in the *Pathways* report and in the A2J literature provides an insight into its proponents' understanding of the practice of government. While the authors assert a 'rights-based approach,' and are clearly concerned with alleviating poverty and with insuring the rights of marginalized people, the logic of the argument in the report is one that privileges the application of economics in the administration of rights. That is to say, a micro-economic model is applied to the notion of rights, such that the demand for, and supply of 'justice' is conceptually fit to a supply and demand curve. The 450-page report contains four main sections: a theoretical and methodological introduction, an analysis of the 'social demand for justice', an analysis of the 'supply of justice services', and a conclusion and recommendations section. As a footnote (p. 21) makes clear, the notion that there is a supply of, and a demand for, justice is 'taken by analogy from the field of economics and adapted to the justice sector.' A central tenet of the report—one that is outlined, for instance, in the five 'factual premises' that govern the report—is that

justice is subject to the laws of supply of demand, and while there is a high demand for 'justice services' in Cambodia, the supply of justice services is not adequate to the demand. This argument leads to the conclusion that alternative dispute resolution mechanisms, such as indigenous customary law, can sometimes provide justice in cases where the state is unable to.

The appreciation of justice as a kind of commodity, subject to fluctuations in demand and supply, is not original to the Cambodia A2J project. *Programming for Justice*, the A2J practitioner's guide produced by the Asia Pacific regional program, similarly urges practitioners to assess the 'supply of remedies' and the 'demand for remedies' in their analysis, and notes that 'together with insufficient capacities, risk is a major obstacle to effective access to justice' (UNDP 2005:6). Supply, demand, risk—the commodification of justice and its contextualization within the language of the market seems an unlikely starting point for a program designed to provide a 'rights-based approach' to development. Implied by this logic is the notion that justice has a market price, and, by extension, that marginalized people are not able to pay the high price to obtain justice in the marketplace. The Access to Justice formulation offers them an alternative product—the justice that can be obtained through alternative dispute resolution, customary law, and other 'local' approaches that are less expensive. It is not too much of a stretch to see this movement towards supporting informal, alternative, or 'traditional' forms of dispute resolution, in the absence of the formal sector's ability to provide justice, as a kind of ideological cover for the retreat of the 'welfare state' away from such formerly basic roles of government as the provision of justice. The encouragement of alternative and informal dispute resolution mechanisms, including the support of indigenous customary law, can thus be seen to be part of an ongoing process of transformation within the practice of development and indeed of government generally. A table in *Pathways* entitled 'Supply of Justice Services' envisages the provision of 'justice services' in this way:

| | |
|---|---|
| Possible providers of justice services | -Judiciary<br>-ADR (mediation, conciliation, arbitration)<br>-Customary justice<br>-Indigenous law and conflict resolution methods<br>-Informal mechanisms for the resolution of disputes |
| State's role | -Coordination<br>-Guaranteeing human rights |

Chart 5, p. 25, in Yrigoyen Fajardo *et. al.*, 2006.

This set of observations points to two problems. The first is that the Access to Justice program promotes the ideas that marginalized groups should look elsewhere

for their justice, that they should seek alternatives because the state cannot be reformed to fully insure their rights through the formal legal system. The obvious question here is why non-formal conflict resolution is posited as a cure to the problem of a broken formal legal system. Shouldn't marginalized people, ethnic minorities among them, enjoy the same legal protections as other Cambodians? The Access to Justice Literature does not expend much effort investigating how the formal system might be reformed to afford legal protection to minority people. The second, and perhaps more important problem, is the way that the creation of alternative statuses and the promotion of, for instance, 'indigenous law' creates a legal identity for the marginalized or indigenous person. Like other programs that seek to promote indigenous people's rights through the elaboration of policy and legal initiatives designed to address their particular concerns, the introduction of these reforms create sets of expectations about who ethnic others are and how they are meant to behave. I investigate this process in a bit more detail in the following section.

### 4.3 Cambodia's 'Indigenous People'

In addition to encoding a series of beliefs about the proper form of government and the role of the state, the *Pathways* report identifies and describes Cambodia's 'indigenous people' as a marginalized population with limited access to justice. Few would dispute the fact that ethnic minority villagers in Ratanakiri, Mondulkiri and elsewhere are the victims of expropriation and disenfranchisement by powerful individuals who often use the legal system as a tool of that expropriation. There is overwhelming evidence for this state of affairs and instances of this abuse are well documented in the *Pathways* report and elsewhere. Yet what I find interesting about the report is the way that it constructs highland society as a certain kind of social formation, one that matches expectations generated in international discussions about the rights of indigenous people, and one which allows for a certain set of interventions. In this activity, as well, *Pathways* uses analytical tools and categories that are drawn from the globalized discourse on indigeneity and that are reproduced elsewhere in UNDP's Access to Justice programmatic literature. Ideas about indigenous peoples' culture, identity, and collective rights to self-determination, encoded in international policy instruments such as the International Labor Organization's Convention No. 169 on Indigenous and Tribal Peoples, are explicitly incorporated into the A2J approach. After listing a number of such instruments, for instance, *Programming for Justice* (2005:167) lays out the following 'Key Issues Concerning Indigenous Peoples':

1) cultural integrity;
2) land and natural resources;

3) participation;
4) indigenous knowledge;
5) self-determination and self governance as a part of their right to self-determination indigenous peoples seek devolution of power from the central government and a recognition by the State of the traditional governance and judicial institutions within indigenous communities;
6) collective rights, for example: communal land rights over forests and grazing lands should be respected.

The key point here, that is raised by this and similar statements in the Access to Justice Documentation, is that such policy documents are not mere neutral documents. Rather, they actively construct and reify notions about indigenous identity as part of a process of promoting good governance. Policy documents, and the research that is used to produce them, establish categories of people. To say that 'indigenous knowledge' or 'communal land rights' are 'key issues' for indigenous people is to construct or further 'concretize' notions of ethnic difference, and to introduce the assumption that these forms of difference necessitate different forms of participation in the legal and other public domains according to those categories.

Ideas about the important institutions within indigenous society which may be 'actionable' for policy emerge partly from a global dialogue on indigenous identity, some of which is produced by or circulates through the Access to Justice Network. Speaking at a conference about a UNDP-funded project that promoted customary law and worked with a Conference of Spiritual Leaders to systematize customary justice practice and restore community elder authority, Hans Petter Buvollen stressed the importance of the transmission within the A2J network of these ideas, noting 'we think that UNDP Guatemala possesses valuable experience in the field of combining formal justice with customary practices, and we think it is important to exchange experiences with many of you who have accumulated experiences from other cultural settings and political realities' (Buvollen, n.d.:7).

The facets of indigenous society that Buvollen, in Guatemala, and *Programming for Justice* identify—such things as elders endowed with traditional authority, the importance of spiritual leaders, the importance of communal over individual rights, the possession of certain 'indigenous' forms of knowledge, and the association with nature and natural resources—all can be found in the description of Cambodia's highland ethnic minorities in *Pathways to Justice*. Thus Yrigoyen Fajardo et al. (2006:60) observe that at the community level, indigenous peoples have a council of elders who take the most important decisions of the community based on different forms of consultation. They are the legitimate authority for indigenous communities. And, the communities control the exercise of the elders' authority in some way. The

report also notes that inside the indigenous communities the members follow their customary laws and they resolve almost all conflicts according to their rules, values, proceedings and beliefs. This traditional law is overseen and implemented by a group of elders; in the Ratanakiri community that the A2J project visited, there are five elders, two of them women, who are 'well respected by the community. they know the rules for shifting agriculture, and how to take convenient measures or impose punishments in case of property damage, curses, quarrels and other conflicts' (136–7).

We have, then, in *Pathways to Justice*, a programmatic document that analyzes the problems faced by marginal groups in their attempts to get justice, and provides recommendations for resolving these problems. The problems observed by *Pathways* are real, and the document describes in laudable detail the injustices done to Cambodia's least powerful people. In this analysis I have tried to point out other accomplishments or effects of the *Pathways* analysis. First, the document encodes an understanding of a form of government, one in which the State is no longer expected to administer justice at the local level. I have suggested that this understanding connects to a larger discussion about the rollback of the activities of national governments during a period in which so-called neoliberal pressures (structural adjustment policies advocated by the IDB, conditionalities attached to various forms of aid) have changed the expectations of what government is and is not supposed to do. It may be argued that Cambodia's Access to Justice Programme is merely identifying the state of play in Cambodia today, and may not, in fact, be taking a normative stance on the question of what the State *should* do. Even so, it seems important to tease out the hidden or naturalized sets of understandings which inform the program.

Second, the document encodes a set of ideas about indigenous people. These assumptions are drawn from a global discourse on indigeneity and indigenous peoples' collective rights that circulates in international policy circles as well as among the supporters of indigenous peoples' movements. I have suggested that the identification of 'indigenous people' in Cambodia, and the fitting of their society to internationally generated expectations of what indigenous peoples' society is, is a necessary first step towards the creation of policy interventions directed at them. The final section of the *Pathways* report, 'Conclusions and Recommendations,' makes three principle recommendations: 1) strengthen and establish local justice, 2) improve alternative dispute resolution, and 3) improve the formal sector. The recommendations are weighted towards the informal system, and, under the first set of recommendations, in the sub-section referring to indigenous people, the major recommendation is to "recognise and strengthen indigenous law and indigenous rights," the first step of which is to "recognise and strengthen indigenous law," an activity that includes recognizing 'indigenous authorities in conflict resolution, [and providing] full recognition of indigenous customary law and conflict resolution

mechanisms for conflict inside their communities, among indigenous communities, or even outside indigenous communities if the conflict is between indigenous persons."

## 5. Context, History and Access to Justice

The question of customary law and the distribution of rights on the basis of ethnicity is today a pressing one in Cambodia, as it is in the rest of the developing world. In addition to the support for customary law and traditional authority envisioned by the Access to Justice program of UNDP and the Ministry of Justice, there are, in fact, a number of legislative and policy instruments already in existence or currently under consideration in Cambodia that contribute to the crafting of a collective legal identity for highlanders, and that prescribe a concomitant set of rights and responsibilities for them. The most important of these is the 2001 Land Law, which provides for the communal ownership and management of land by indigenous communities. The law explicitly spells out a separate political identity for indigenous communities and indigenous community members. An indigenous community, according to Article 23 of the law, is a group of people whose members manifest ethnic, social, cultural and economic unity and who practice a traditional lifestyle, and who cultivate the lands in their possession according to customary rules of collective use. Article 24 states that a member of an indigenous community is an individual who meets the ethnic, cultural and social criteria of an indigenous community, is recognized as a group member by the majority of such a group, and who accepts the unity and subordination leading to acceptance into the community (2001 Land Law in Yrigoyen Fajardo et al., 2006:133). The Access to Justice program seeks to build on this process, recommending that the Cambodian government recognise indigenous authorities' and provide full recognition of indigenous customary law and conflict resolution mechanisms . . . if the conflict is between indigenous persons (2006: 197). Placing the present day effort to establish customary law and to support traditional forms of authority in Cambodia today within an international and historical context brings into relief a set of problems that planners and advocates for indigenous peoples' rights must address, it seems to me, if the causes they advocate for are to contribute in any significant way to the emancipation of highland people from the forms of inequality in which they find themselves constrained.

One important problem, then, is that legislation and policies designed to protect indigenous people are also legal instruments that provide for the distribution of rights based on ethnicity. In the process of construing rights in this way, these instruments inscribe into the practice of government a set of ideas about cultural difference that are based on claims about who indigenous people are, how they live, how their societies are organized, and the like. The comparison of this new form of

ethnicization of rights with the older Orientalist practice is of course apparent, with the exception that the claims that are now inscribed into law are based on new forms of expertise and on new kinds of evidence. Much of this expertise now emerges from the globalized governance industry that encompasses multilateral institutions, donor groups, expert consultants, and international and local NGOs. What seems most different about the present conjuncture, what seems to support the notion that these approaches are potentially emancipatory, is the fact that these claims often are made by political movements that represent, or claim to represent, the wishes of indigenous people themselves. Yet as Said warns us, one must not respond "to the tyrannical conjuncture of colonial power with scholarly Orientalism simply by proposing an alliance between nativist sentiments buttressed by some variety of native ideology to combat them". Mamdani's urgings to de-indigenize the politics of liberation speak to this same issue.

Another set of problems surrounds the question of what the content of customary law *is,* and how it is to be identified and backed, whose versions are to be authorized, and who will hold power for making decisions. As we have seen over the course of the long history of the establishment of the idea of customary law and its use in political practice in the region, the institutionalization of customary law resulted in substantive changes to its content. These transformations were the result of interventions undertaken by colonial administrators and researchers tied to the interests of the colonial state. The interest of these policy-makers in improving and indeed civilizing their ethnic subjects was reflected in the body of customary law that became codified and later fed back into the practice of customary law through the indigenous judges who worked within the system and through the *tribunaux coutumiers* over which they presided. Officially sanctioned forms of customary law thus tended to encourage a certain type of ethnic subject, one who recognized his place within the colonial society—one who paid his taxes and did not disturb the social order—and at the same time created or at least provided backing for the authority of indigenous elites (judges, chiefs, etc.) who would serve their interests. The transformations, then, reflected both the interests and the moral norms of the elites, both colonial and indigenous, who were responsible for constructing and administering the system. While it seems clear that support for customary law and alternative dispute resolution systems takes place in a far different social order than that of colonial French Indochina, similar possibilities exist. Official sanction of these practices requires that Cambodian and international elites participate in debate with indigenous leaders and those seeking to represent indigenous people, thus opening the system up to the interests of all of these actors. Furthermore, there is little reason to believe that the customary system is any less manipulable or open to corruption than is the formal system. It is, rather, likely that the tendency for

corruption or abuse will increase in proportion with the importance of the decisions that are made within the newly sanctioned system.

This question raises, in turn, the difficult and lingering question of repugnancy—that is, the concept that norms of behavior which are judged to be irrational or are seen not to conform with the conduct of individuals in a civilized society can not be tolerated even when customary practice is formally recognized and sanctioned. While not referred to by name, repugnancy is the guiding doctrine through which the primacy of Western conceptions of justice is maintained, and notions of the superiority of Western tradition over that of ethnically and culturally differentiated Others is preserved. The possibility that certain indigenous practices may be deemed repugnant is certainly envisioned by the Access to Justice Program, which notes that traditional justice systems are not always consistent with human rights norms. They may reflect prevailing power relationships that not only perpetuate biases in terms of gender, caste, religion or ethnicity, but also lack the integrity and moral authority to provide due process or appropriate penalties (UNDP 2004:9). It is important to recall that local custom in highland Cambodia still includes the practice of what foreign observers have termed witchcraft, and that local adjudicating practices still involve the use of trial by ordeal (submersion under water). Given this state of affairs, it is difficult to see how a codification and recognition of indigenous customary law would in fact allow for the maintenance of such practices under the rubric of 'custom.' Such selective approval of indigenous custom demonstrates that the support of customary law remains a methodology for civilizing ethnic others, even as the maintenance by the state of the power to make the decision over what is and is not repugnant demonstrates the position in the social and political hierarchy to which the practice of customary law is consigned.

A final set of issues surrounds the question of the locus of authority for traditional leaders and customary law. Many analyses have pointed out that the village chief is historically not a traditional authority figure in highland villages. The role of the chief was made necessary by the integration of the highlands into colonial and national governments. Thus the chief, as an intermediary between village and state, and as one who is moreover selected by the state (and indeed by the dominant political party), relies on the national government for his power. In contrast, within the literature on customary law, elders are portrayed as more legitimate power holders and adjudicators because their authority emanates from within the village. *Pathways to Justice* (p. 60) puts it this way:

> At the community level, indigenous peoples have a council of elders who take the most important decisions of the community based on different forms of consultation. They are the legitimate authority for indigenous communities. . . To the contrary, the village chief

> is nominated by external powers and does not respond to the village interests necessarily. The commune council is elected according to political lists and the councilors respond to the political parties they belong to . . . The source of the legitimacy of the village chief and commune council is external to indigenous structures.

The notion asserted here is that decision-making (including decisions about justice) based on legitimacy granted by villagers is preferable to decision-making supported through claims on the power of the state. The logic of this approach seems sound. Two questions then arise. First, if this logic is applied, it would seem that an important step towards promoting an administration of villages that represents the will of villagers would be to make the appointment of village chiefs dependant on their selection by villagers. That is to say, rather than writing the chiefs off as illegitimate, why not try to improve their legitimacy by making their positions dependant on gaining the approval of villagers for their actions. Second, if, as the *Pathways* report asserts, local people see the elders' authority as legitimate precisely because it does *not* derive from political parties or from the state, then why does the A2J program seek to create a policy through which the government would authorise traditional forms of authority? The Access to Justice Programme recommendations seek to recognise indigenous authorities and to provide full recognition of customary law. These recommendations thus propose that the government fully sanction the traditional system, and provide the authority of state to the elders who execute it. Doesn't such an authorisation remove the locus of authority from the village or local level to the state? If so, it would seem that they, like the chiefs before them, will soon find themselves in the 'betwixt and between' position, their legitimacy compromised by their new political power.

A vast literature on the state is relevant here, and is far too voluminous to engage. It is important to note that the state does not need to be understood to be a monolithic or unitary social institution, even within arguments such as the one I am making about the perceived role of the state in legitimising certain forms of authority. Much recent work has tended to demonstrate the cultural dimensions of our understanding of the state—to assert, for instance, that the notion of the state as an embodiment of sovereignty is an idea that is imagined, that those who imagine it have some stake in that form of imagining, and that it is through such culturally produced imaginings that power relations are worked out (Hansen and Stepputat, 2001). It is perhaps important to remember that, although it is neither a monolith nor a unitary actor, the state, when it is imagined, is imagined to use force in the pursuit of its aims.

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## Chapter 13

# Aiding or Abetting? Internal Resettlement and International Aid Agencies in Laos

**Ian G. Baird and Bruce Shoemaker**

A number of programs and policies currently in place in the Lao People's Democratic Republic (Lao PDR or Laos) are promoting, directly or indirectly, the internal resettlement of mostly indigenous ethnic communities from the more remote highlands to lowland areas and along roads. These initiatives are linked to government policies on eliminating swidden agriculture and opium cultivation, national security, and the concentration and integration of rural populations. Over the last decade a large proportion of remote upland communities in Laos have been resettled (Evrard & Goudineau, 2004), and more resettlement is likely to occur (Gonzales et al., 2005).

### 1. Putting into question internal resettlement

There is a compelling and growing volume of evidence demonstrating that internal resettlement and related initiatives in Laos are having a major and negative impact on the social systems, livelihoods and cultures of many indigenous ethnic communities and people.

Aid agencies, including International Organizations (IOs), Multilateral Development Banks (MDBs), bilateral aid agencies, and International Non-governmental Organizations (INGOs), have played key roles influencing and funding Lao PDR government (GoL) policies and programs associated with internal resettlement. However, the reaction and response of these agencies to evidence of severe and negative impacts of resettlement on upland ethnic minority communities has been very mixed. This chapter provides a summary of some of the key concepts and programs associated with internal resettlement in Laos, a brief review of the research on its impacts, and an overview of the approaches of international aid agencies in either promoting, facilitating internal resettlement or in working to prevent, or at least reduce it.

## 2. Methodology

We have been researching the role of international development agencies and donors in internal resettlement in Laos for a number of years. Our research is based on a literature review, interviews with IO, MDB, bilateral, and INGO representatives, and field observations in rural Laos. Our earlier experience as development workers also informed our work.

Between January 2003 and May 2005, we conducted more than 75 interviews with independent researchers and people affiliated with 46 organizations. Some individuals were interviewed more than once, and in some cases two or more people from the same organization were interviewed. Most discussions were one-on-one but in some cases two or more people came together for what could be called small group interviews. Both Lao nationals and expatriates were questioned. Interviews were conducted in both English and Lao and some field research was conducted in the Brao language. Fieldwork was conducted in areas affected by internal resettlement in southern, central, and northern regions of Laos. This chapter is based on Baird & Shoemaker (2005).

## 3. What is internal resettlement and why is it occurring?

Internal resettlement, as examined in this chapter, is different from two other types of resettlement in Laos: The first is the project related relocation of communities to make way for large infrastructure projects, such as roads, forest and mining concessions, or hydropower dams. The second refers to former refugees returning to Laos from other countries and being resettled under the auspices of the United Nations High Commission for Refugees (UNHCR).

> Periodic resettlement and movements of people in Laos—whether voluntary, negotiated, forced, coerced, manipulated, or strongly encouraged—have been a prominent aspect of the country's recent history. While there were no major shifts in populations during the French colonial period (Evrard & Goudineau, 2004), resettlement during the 1960s and early 1970s was commonplace, much of it related to the war and US bombing. In 1975, the newly formed Lao PDR government began moving ethnic minorities out of mountainous and remote areas, due to security concerns about armed rebel activities.

Over the last ten years the pace of internal resettlement in Laos has been steady although occurring in uneven spurts in different provinces and districts throughout the country. The result has been a dramatic deconstruction and restructuring of upland Lao societies over very short periods. As several observers have said,

"internal resettlement is the biggest thing happening in upland areas of Laos at the present time." The French anthropologist Yves Goudineau has described internal resettlement in Laos in terms of a double process: deterritorialization, which implies leaving traditional territories and changing traditional ways of life associated with those areas, and reterritorialization, which involves physically moving into a new territory and often accepting and integrating into the cultural references that are bound up with it (Goudineau, 2000).

Usually, internal resettlement is justified under the GoL's expressed goals of poverty alleviation (*lout phone khvam nyak chon*) and rural development (*phathana xonabot*). Within this framework, the GoL's motivations for internal resettlement can be further divided into five main categories, all of which are important depending on the geographical area and context of the situation.

### 3.1 Eradication or reduction of swidden/shifting cultivation/slash-and-burn agriculture

> Beginning in the early 1980s but increasingly—and with donor encouragement—in the late 1980s and early 1990s, the GoL began to express its concerns about the shifting cultivation/swidden agriculture practices of ethnic minority groups. Reflecting urban and elite biases, the GoL declared swidden agriculture backwards and destructive to forests and the environment. This view holds that shifting cultivation or swidden agriculture is an unproductive agricultural system and an inefficient use of natural resources, which should be replaced with lowland wet rice agriculture. Lowland wet rice agriculture is generally considered more productive and therefore more desirable. Many GoL officials and urban Lao also consider swidden agriculture as a threat or competition to the commercial forestry sector, which includes large-scale logging and tree plantations. Replacing swidden fields with monoculture plantations of eucalyptus or teak trees has been advocated by aid agencies and other outside interests as a way to promote economic development. Similarly, international conservation organizations have promoted the goal of eradicating shifting cultivation as a way to protect biodiversity in the country's remaining forests. Both commercial forestry and biodiversity conservation programs have generated conflict with ethnic minorities who have customarily and historically used upland forest resources (*Watershed,* 1997; Hirsch, 1997). In 1994 the GoL declared a goal of eliminating swidden cultivation by the year 2000.

Internal resettlement has long been considered an important tool for eradicating or reducing shifting cultivation even though it is not presented as an explicit policy objective (Evrard & Goudineau, 2004). In 1996 and 1997 when internal resettlement intensified, it was often linked to the eradication of swidden agriculture.

People were moved to lowland areas where they would supposedly switch to wet rice paddy production; others were moved to live along or near major roads in upland areas.

Hundreds of thousands of families have been affected by the GoL's restrictive shifting cultivation policies. In 1999, the GoL estimated that 280,000 families, or 45% of the villages in the country, were dependent on shifting cultivation for their subsistence (State Planning Committee & National Statistical Centre, 1999). The GoL expected that by the year 2000 160,000 families (about 900,000 people) conducting swidden agriculture would have adopted sedentary occupations *(asip khong thi)* (Jones, 2002). All provinces have been affected by the swidden agriculture eradication policy, especially those in the mountainous northern and eastern parts of the country, but it seems unlikely that the above targets were actually met.

With eradication and severe restriction of swidden agriculture, concerns about food security have grown. Studies from different parts of Laos, and involving many ethnic groups, clearly show that eradication and restriction of swidden agriculture has contributed to chronic food shortages, increased and over-exploitation of forestry and fishery resources, decreased human and animal health, and increased soil degradation and other types of biodiversity degradation caused by adopting fallow cycles that are too short to allow for forest or soil regeneration. The end result is generally increased human poverty (State Planning Committee, 2000; Chamberlain, 2001; ADB, 2001.) By the late 1990s, some Lao development workers began sarcastically referring to the policy of eradicating swidden as the "Project to Stop Eating" (*khong kan youtti kan kin*) because of the hunger and hardship it was causing upland communities. Other observers pointed to the large increase in commercial logging in the same forests targeted for swidden eradication, directed by the central government and Lao army (*Watershed,* 2000).

By 2000 it was evident that that eradicating swidden agriculture was a much more difficult task than originally expected and that meeting the original deadline was impossible. For one thing, about 80% of the country is mountainous or hilly which means there are few lowland sites suitable for wet rice agriculture (Panisivongsay, 2005). The GoL first extended the deadline to 2020 but, in 2003, moved it forward to 2010 (Ducourtieux et al., 2005).

While the GoL remains officially committed to eradicating swidden agriculture (*Vientiane Times,* 2004a; b; c), most researchers and academics working on upland agriculture today recognize that swidden agriculture has been unfairly blamed for forest destruction, and wrongly faulted as an unsustainable form of agriculture. At a 2004 conference on agriculture in Laos, for example, researchers explained the suitability of swidden agriculture for mountainous areas, particularly when long-fallow rotational systems are used. Earlier research (Warner, 1991; Fox et al., 2000)

indicates that swidden agriculture has long been practiced sustainably and could be for many more decades provided upland population densities remain low and rapidly growing plant species, including many varieties of bamboo, are utilized for conducting swidden agriculture. Some assistance and technical support may be needed for upland agricultural adaptations, but the problems are rarely as serious as depicted by government officials and some aid agency staff. Some types of pioneering shifting cultivation can be unsustainable but even the problems with this type of agriculture are often exaggerated. Pioneering shifting cultivation involves cutting down mature forests for cultivation and then moving on without any plans to eventually return to cultivate the same location. This contrasts with rotational shifting cultivation, in which farmers cut a section of forest for cultivation, with the intention of returning to cultivate the same area in the future. .However, rather than a moderate approach that carefully considers local conditions on a case-by-case basis, the GoL has restricted all types of swidden cultivation.

Despite growing evidence that swidden agriculture has been unfairly condemned, many GoL officials at the central and local levels still uphold the goal of its elimination. The official media tends to equate the policy of eliminating slash-and-burn agriculture with eliminating poverty. Swidden agriculture is often still depicted negatively as slash-and-burn agriculture, and the official Lao media often equates eliminating slash-and-burn agriculture with eliminating poverty (*Vientiane Times,* 2003a; Vorakham, 2002)—even when it may in reality be having the opposite effect (Agence France-Presse, 2004b).

As efforts to eradicate swidden agriculture by the year 2000 continued, it became evident in the late 1990s that this was a much greater task than originally expected and that it was not going to be possible within the official timeframe.Although the GoL remains officially committed to eradicating swidden agriculture (*Vientiane Times,* 2004a; b; c), there has been reconsideration of the policy at some levels (Baird, 2004; 2005). For example in southern Laos, the deputy governor of Savannakhet province has stated that pioneering shifting cultivation is banned, especially when large trees are cut down. But rotational shifting cultivation is allowed and is not considered a target for eradication (Baird, 2004). And at the 2004 NAFRI conference, senior officials at the Ministry of Agriculture and Forestry explained that the GoL goal is to reduce shifting cultivation, not eliminate it, and that the term "eradicate" shifting cultivation was mistakenly included in the Party's 5-year plan in 2001 when it should have been "reduce." However, other GoL officials at both the central and local levels still indicate that the goal is the elimination of swidden cultivation. State press accounts have also been mixed. At times there has been a reduction in anti-shifting cultivation rhetoric, at other times pro-resettlement, anti-shifting cultivation stories dominate both the English and Lao language press.

While unjustifiably negative ideas concerning swidden agriculture previously existed to some degree in Laos, these views were substantially strengthened and supported by aid agencies following the advent of large-scale western donor assistance to the country in the late 1980s. Long time aid workers in Laos note that the United Nations Development Program (UNDP) was among the first international actors in adopting these views and promoting them among the donor community. "It is the UNDP that was most complicit . . . they developed the model and then the other donors followed it", commented one INGO representative based in Laos for more than ten years. The UNDP implemented one of the first integrated rural development projects in the late 1980s in Muang Hom district of Vientiane province. The project involved the resettlement of upland villages to the project area, where they were to be provided with lowland wet-rice paddy (Moody, 1994). Notably, one of the UNDP Muang Hom project consultants at that time was Michel Gutelman, a strident opponent of swidden cultivation who has even advocated that the GoL should criminalize swidden cultivation, implying that those who continue to practice it should be jailed (Gutelman, 1989; Frederic Banda, *pers. comm.,* 2004).

In May 1989, the World Bank sponsored the First Lao National Conference on Forestry as part of its Lao Upland Development Project, which was implemented by the Forestry and Agriculture Organization of the United Nations (FAO) and UNDP with Australian and French technical assistance. At that conference, the GoL resolved that by the year 2000 there would be a permanent change in the lifestyles of 60% of the country's 1.5 million people engaged in shifting cultivation (Evrard & Goudineau, 2004). To support the GoL's policy, the Tropical Forestry Action Plan was unveiled the following year by FAO and UNDP. The plan envisioned that 90,000 people a year would give up swidden agriculture from 1990 to 2000; the idea was that swidden agriculture would be eradicated through intensifying other types of agriculture, promoting land tenure reform, commercial logging, and industrial fast-growing tree plantations (GoL, 1990; Goudineau, 1997). Several major donors have provided support. In 1997, for example, the Asian Development Bank (ADB) began the approval process for a 1999 loan of US$5.6 million for a Shifting Cultivation Stabilization Project meant to reduce the environmentally harmful practice of shifting cultivation, or slash-and-burn farming, by introducing diversified sedentary farming systems and other economic opportunities. The project, which also received $1.3 million in grant support from UNDP, has been implemented in Xam Neua district of Houaphan province, in northern Laos, an area where significant amounts of internal resettlement have been occurring.

### 3.2 Opium eradication

Historically, many upland communities in northern Laos have grown poppies to produce small amounts of opium, mainly for local sale and consumption (Cohen,

2000; Epprecht, 2000). When addiction becomes widespread, opium can impoverish families and communities. However, opium has also been an important cash crop in some areas experiencing chronic rice shortages (Epprecht, 2000). Until recently, opium eradication was not a GoL priority, although there was a willingness to institute development programs that would reduce the need for growing opium in upland communities. The GoL stressed that development must come first, before wholesale eradication could be attempted. The US government has criticized Laos due to its status as the world's third largest opium producer, even though the country produces a relatively insignificant amount of opium for export compared to Burma or Afghanistan. In 2000, the United Nations Drug Control Programme (UNDCP) radically stepped up its anti-opium efforts in Laos, promising the GoL US$80 million in aid if they would agree to make the country opium-free by 2005. This agreement was signed without the agreement of UNODC's donors who have been slow to honor the funding pledge. While the promise of funding was sufficient to spur the GoL to initiate its opium eradication campaign, only a portion of the promised funding has actually been provided—and much of that in the form of loans rather than grant aid. The US government also pledged substantial aid for opium eradication. In 2001, the 7th Congress of the Lao People's Revolutionary Party responded to US pressure, and the UN's promise of aid, and declared that Laos would be opium-free by the end of 2005. Following the 2001 resolution, national and local GoL officials began to aggressively pursue eradication—despite slow progress in developing economic alternatives for opium cultivators (*Vientiane Times,* 2003a; c; d; Baird, 2005). Over recent years, this has created a push-pull effect, forcing many poppy-growing communities to move out from the uplands. Facing continued GoL pressure to reduce shifting cultivation, and few income-generating alternative, some families have been migrating to lowland areas (Evrard & Goudineau, 2004). Eradication efforts have become increasingly aggressive, with the GoL has mobilized officials, students, and members of mass organizations to go to upland villages and cut down poppies. A comprehensive survey of resettlement in Long district of Luang Namtha province links opium eradication to resettlement due to its disruption of the traditional economy and the resulting loss of local autonomy (Daviau, 2003). By early 2004, opium eradication had caused the displacement of an estimated 25,000 Hmong, Akha, and other highland people (*Economist,* 2004).

By 2005, local officials were coming under tremendous pressure to declare their districts and provinces opium-free with the state media carrying frequent updates on when various districts and provinces declare themselves opium-free (Thammavongsa, 2005a, b; Vorakham, 2005). The chairperson of the Lao Committee for Drug Control (LCDC) told local officials in Phongsaly province, northern Laos, "If Phongsaly goes back to growing the illicit plant, you will be criticized by other provinces; you

will be blamed for undermining the achievements of others. . .”(Vorakham, 2005: 2). While some donors expressed concern about the pace of eradication, aggressive eradication continued and in 2005 the GoL declared success in making the country opium-free (Pansivongsay, 2005).

It is now, however, widely acknowledged that opium eradication was implemented too quickly and has left many upland communities without adequate food or income for survival. Some observers describe this abrupt end to opium cultivation as a humanitarian disaster. It has been all the more controversial because international aid agencies have been involved. Because aid agencies encouraged the GoL's hard-line anti-opium stance, they found it difficult to ask the GoL to soften its approach, especially once it was enshrined in official Party policy.

Apart from the involvement of the US government and the UN system in supporting opium eradication in Laos, at least one INGO has been at least indirectly involved with the GoL's opium eradication efforts. Norwegian Church Aid (NCA), an agency with a history of supporting alternatives to opium growing in northern Thailand, has linked its rural development initiatives in Long district of Luang Namtha province to the objective of providing alternatives to opium cultivation. NCA receives funding for this work from the United Nations Organization on Drugs and Crime (UNODC). At one point during the GoL's 2002-3 eradication campaign, money allocated by NCA for distributing anti-drug literature in villages was used to pay the per diems of local officials to cut down opium poppies. According to NCA, this occurred without their prior approval or knowledge, and that NCA has never had a mandate for supporting physical opium eradication.

NCA's program in Long district has been criticized by one consultant as “leading to a destruction of traditional economies without sufficient alternatives being in place” (Daviau, 2003:26). NCA field project staff claim that sufficient economic alternatives have been provided to NCA-supported communities and that the GoL's eradication campaign was justified. NCA staff also reported that they have had some success in negotiating agreements with local authorities so as to allow villages to remain where they are rather than being resettled. At the time of the interview NCA could provide no empirical evidence or independent confirmation that opium had been successfully replaced with other crops and/or income.

### 3.3 Security concerns

Most of the internal resettlement associated with security issues took place during and shortly after the war, and during the turbulent years of the late 1970s and early 1980s (Goudineau, 1997). Security is no longer the primary motivating factor for most resettlement in Laos, although it remains a factor in some areas, and with regard to some

ethnic groups. In parts of the country where armed rebels are active, have a history of being active, or are believed to have the potential for becoming active, security concerns often play an important role in whether villages are resettled or not, and the nature of the resettlement, but security is rarely the only factor, or an explicit factor. Security concerns have especially been prominent when ethnic Hmong people have been involved.

### 3.4 Access and Service Delivery

In upland areas ethnic minority groups live in small, scattered settlements far from roads—but near to the forests, streams, and agricultural lands on which they depend for their livelihoods. The concentration of these scattered communities, as well as their cultural and livelihood integration into ethnic lowland Lao society, has long been a goal of the ethnic Lao dominated central government (*Vientiane Times,* 2002; Vorakham, 2002; Evrard & Goudineau, 2004)**.** The justification is that by moving scattered remote upland communities into more accessible areas it will be easier and cheaper to provide what the GoL and aid agencies consider to be essential development services—such as health care, sanitation, education, roads, irrigation and electricity. And by providing people with better access to markets, the GoL expects those resettled to be integrated into the dominant cash-based economy (GoL, 1998). The GoL assumes that resettlers will benefit from permanent occupations in one location (*chat san asip khong thi*), intensified agricultural production, and cultural integration with other ethnic groups (Evrard & Goudineau, 2004).

Many international aid groups generally support the GoL's position on access and service delivery. According to Mr. Finn Reske-Nielsen, the UNDP Resident Representative in Laos, "Voluntary relocation makes good sense in a sparsely populated country like Laos, where it is difficult to bring educational, health and other essential services to the people" (Agence France-Presse, 2004a). Unfortunately, proponents of resettlement often fail to appreciate the existing livelihood base in remote communities, and underestimate the difficulty in creating new livelihoods for those resettled. There is a tendency to devalue or neglect important issues such as the availability of adequate land for farming and grazing livestock as well as access to forestry and fishery resources, which may be lost when people are resettled. Proponents of internal resettlement also underestimate how emotionally attached people can be to the villages and land they have lived on for generations. Research shows that the emotional and psychological impacts of displacement from important places can be severe and long lasting. This type of displacement has been referred to as domicide or the destruction of home (Porteous & Smith, 2001). In fact, development agencies or agents of resettlement have often underestimated the importance of the concept of home to human life and community (Porteous, 1989; Porteous & Smith, 2001).

### 3.5 Cultural Integration/Nation Building

The Lao population consists of many different ethnic groups, most with their own languages, customs, and livelihood systems, with the ethnic Lao making up well under half the total population. Since its formation in 1975, one of the GoL's top priorities has been integrating minorities into the dominant Lao culture, by encouraging them to adopt ethnic Lao livelihoods, practices, and language. Cultural integration has therefore been an important motivation for resettling ethnic minorities from remote mountainous areas to lowland areas, nearer to ethnic Lao communities.

However, the negative cultural impacts of this nation-building project, with its implicit ethnic bias, have rarely been considered. The assumption is that minorities that become more Lao (adopting Lao language, clothing, housing styles, religion, and other customs) are more developed and civilized. For example, in the southern province of Attapeu, the provincial government has built Lao-style houses for recently resettled ethnic minority villages in order to, teach the people how to make Lao permanent houses.

Internal resettlement often involves more than one of the above factors. In addition, the reasons for internal resettlement are of varying importance to different government officials and agencies, depending on the geographical location, local circumstances and the responsibilities of those concerned. Particular reasons for internal resettlement are emphasized more or less depending on the people involved. For example, cultural integration and security concerns receive much less emphasis in discourses when international aid agencies are involved, as compared to opium eradication, the eradication of shifting cultivation, and ensuring that people have access to rural infrastructure, including health and education services. Aid agency-supported initiatives to resettle communities are, thus, frequently framed in particular ways, depending on the objectives or emphasis of the aid agencies involved. Government officials are frequently willing to present things in ways that meet the needs of donors, provided that support is provided for resettlement.

## 4. Internal Resettlement Programs

There are three very important components or initiatives that have a strong direct relationship to internal resettlement in the Lao PDR—Focal Sites, Village Consolidation, and Land and Forest Allocation.

### 4.1 Focal Sites (khet chout xoum)

Focal Sites concentrate large numbers of ethnic minority families into selected areas so that they can be provided with development assistance in an efficient and

cost-effective manner (GoL, 1997; 1998; 2000; GO Bolikhamxay, 2000). Related to the GoL's Rural Development Program objectives, Focal Sites are intended to: 1) alleviate poverty among rural populations in remote areas, 2) provide food security, 3) promote commercialization of agricultural production, 4) eliminate shifting cultivation, and 5) improve access to development services (GoL, 1998). Focal Sites are chosen by provincial and district authorities in order to concentrate development resources in certain geographic locations. Focal Site development is infrastructure-oriented—roads, schools, health clinics, irrigation, market facilities—which has made the concept popular with government officials at all levels as well as with some large donors. Some Focal Sites are developed beyond established villages but in many cases there is an ethnic Lao community already in the area designated as a Focal Site, although there is considerable variation in terms of the ethnic make-up of areas established as Focal Sites. Other ethnic groups are then moved to the site with the idea that they will integrate culturally and economically into the dominant Lao culture and livelihoods.

The term Focal Site first came into use in Laos in the early 1990s when the International Fund for Agricultural Development (IFAD) began funding a Focal Site in the northern province of Xieng Khouang (CLCRDO *et al.,* 2000). In 1994, the GoL established the Central Leading Committee for Rural Development, emphasizing Focal Sites, and by 1996 most provincial rural development committees had identified Focal Sites and submitted operational proposals to the central government for funding (GoL, 1998). In 1998, the GoL announced plans to create 87 national level Focal Sites by 2002, bringing together 1,200 village and 450,000 people (12% of the rural population in Laos at the time), half of which were expected to be displaced upland communities (GoL, 1998; Evrard & Goudineau, 2004). Each Focal Site was expected to have an average of 16 villages and 5,200 people (GoL, 1998). In addition to the national Focal Sites, provincial and district-level governments have developed their own Focal Sites, and then steered donors to work on or fund projects in areas designated as Focal Sites. As a result, some donors, including INGOs, have become involved with Focal Sites without much awareness of the GoL's motivations or the resettlement associated with them.

> The UNDP has been the most strongly associated with the active promotion of the Focal Site concept in Laos. In the mid-1990s the UNDP helped the GoL craft a major appeal to international donors to support the concept of Focal Sites as the basis of their rural development assistance (GoL, 1998, CLCRD *et al.,* 2000). As a result, no less than six UN agencies (UNDP, UNICEF, UNCDF, UNDCP, WFP and the FAO) provided support to Focal Sites. Also, the ADB, the World Bank, and other funders have supported infrastructure development associated with Focal Sites. Of the US$ 115 million allocated

for the GoL's Focal Site plan for 1998 to 2002, 83% was expected to come from foreign aid (GoL, 1998). The GoL continues to see Focal Sites as an important part of their rural development strategy (KPL, 2002).

### 4.2 Village Consolidation (*tao hom ban*) and Resettlement (*chat san ban khong thi*)

Village Consolidation combines scattered smaller settlements by resettling people into larger permanent villages, which can then be more easily administrated by the GoL. Village Consolidation is implemented in much the same way as the Focal Site program, albeit on a smaller scale. People and communities are moved to new locations, sometimes far from their traditional fields and forests, and outside the spirit boundaries of their original villages. The idea is to concentrate people into more densely populated areas and to move towards their integration into the dominant economic and cultural system. It can take place in remote areas, such as in Kaleum district, Xekong province, where there have been a number of instances of two or more villages being moved into one location, sometimes at the sites of one of the villages, and at other times to entirely new locations. Village Consolidation has been ongoing since the 1970s. However, over the last few years the policy has become central to the GoL's plan to concentrate human populations in small areas. Efforts to promote Village Consolidation have intensified, concurrent with the expressed increased focus on poverty alleviation by major donors and the GoL, and have recently become one of the main justifications for internal resettlement in Laos (Baird, 2004; 2005). In 2004 the Politburo of the Central Party Committee of Lao PDR issued an order declaring that lowland villages should not have less than 500 people and that upland villages should not have fewer than 200 (Lao Revolutionary Party Political Central Committee, 2004).

International aid is often used to entice smaller communities to move into larger ones, even without aid agency approval. This was observed during fieldwork conducted by the first author in Kaleum district, Xekong province, in 2004. Government officials convinced three smaller villages to move into a single new location, using the pretext that an INGO working in the area would provide them with additional development support if they made the move. Those relocated were very disappointed following their move when this development support did not materialize. INGO staff or representatives interviewed were not aware that the development assistance that they were providing in the district was being presented to villagers in a way designed to convince them to consolidate.

Given the concerns over resettlement policy in Laos among some donors, the GoL has tried to distinguish Village Consolidation from resettlement. In a 1998 appeal to donors the GoL stated, "Village consolidation is our term for the establishment

of permanent occupations. The promotion of permanent occupations encapsulates several national objectives such as rice production, commercial crops, stopping slash-and-burn agriculture and improving access to development services. This objective has often been wrongly identified with resettlement, partly because the term resettlement has been used in some of our own documents, partly, because the problem that has to be attacked has not been clearly identified" (GoL, 1998: 21). The GoL prefers the Lao term ***chatsan asip khongthi,***, the establishment of permanent farming conditions, or the stabilization of production, rather than the term resettlement (GoL, 1998).

Before the international INGO Concern Worldwide began working in remote parts of Pha Oudom district, Bokeo province, the agency informed local authorities that they were not willing to work in recently resettled villages or ones slated for resettlement, as they were concerned about the potentially negative impacts on people caused by resettlement. The agency was told that none of the villages in which they planned to work would be resettled for at least 50 years, if ever. However, when preparing its activities in the area, Concern became aware of plans to consolidate a number of smaller villages into large ones. It learned that villagers were generally opposed to these plans, for livelihood and cultural reasons, especially as different ethnic groups and sub-groups with different Animist practices were involved. When Concern questioned officials about the situation, they were told that no resettlement was going on, and that Village Consolidation is not the same as resettlement.

In reality, Village Consolidation is similar to other forms of internal resettlement, and is often as traumatic or even more disruptive to livelihoods and cultures as other sorts of relocation. Village Consolidation is particularly problematic when people from different ethnic groups are forced or coerced to consolidate into single villages. Conflicts related to different types of livelihoods often follow. Some GoL documents openly admit that Village Consolidation is based on resettlement: The Lao Revolutionary Party Political Central Committee (2004: 3) states that one of the key economic justifications for Village Consolidation is the "provision of land allocation for resettlement."

Village Consolidation can be considered as mainly a change in terminology or a repackaging of the Focal Site concept following the donor reaction against resettlement in 1998. Despite the reservations of some aid agencies to fund it, the GoL has remained firmly committed to resettlement. In order to overcome the less than enthusiastic ongoing support for the Focal Site approach by these agencies, however, it has been necessary to redefine the terms. This in turn has left some agencies in the dark about what they are actually supporting in the name of rural development and poverty alleviation in Laos.

### 4.3 Land and Forest Allocation (*beng din beng pa*)

This initiative has had the objective of developing a system of land classification according to use, improving natural resource management by demarcating forests for specific purposes, and preventing illegal logging by provincial and district entrepreneurs by providing villagers with new management and use rights. The program was to be based on a process of participatory land use planning and at least partially on a Vietnamese model, which had worked well for lowland communities (Jones, 2002).

Land and Forest Allocation was first introduced to Laos in 1990 through pilot projects supported by international donors, mainly the Swedish International Development Agency (SIDA), the ADB, and the FAO (Ducourtieux *et al.,* 2005). SIDA's support—through the Lao Swedish Forestry Program—was extensive, and several observers point to SIDA as having had a major influence on the development of this whole initiative. In 1994 Land and Forest Allocation became a nationwide policy with the signing of Prime Minister Decree No. 186, "Regarding Land and Forest Allocation," which followed the earlier Decree 169 "On Forests and Forest Land."

The Land and Forest Allocation decree has in practice been used as a top-down tool for reducing swidden agriculture by declaring large tracts of land off-limits to swidden cultivators. As a result, farmers have been forced to reduce fallow times drastically to just two or three years, making the proliferation of weeds a serious obstacle to good harvests. Short fallows also lead to the rapid deterioration of soil quality, due to a lack of time for soils to regenerate, and increased pest and disease problems (State Planning Committee, 2000; ADB, 2001; Chamberlain, 2001; Jones, 2002). Recent research confirms that Land and Forest Allocation has had a counterproductive impact on both forest protection and agricultural modernization, and that it has caused harm to the poorest rural families in the country (Ducourtieux *et al.,* 2005).

The severe restrictions placed on swidden agriculture by Land and Forest Allocation, and the food shortages that have resulted, have been a major push factor inducing upland communities to relocate. With conditions for upland agriculture being so difficult, upland farmers often feel obliged to follow government recommendations to resettle to the lowlands or along roads. Importantly, Land and Forest Allocation is critical for achieving the spatial reorganization of people, which is an integral part of the modernization process that the GoL, with aid agency support, is promoting (Evrard & Goudineau, 2004; Vandergeest, 2003).

Aid agencies, including INGOs, are often asked to support Land and Forest Allocation as part of rural development projects. In some cases, the requests are for GoL per-diems and expenses, which puts donors in the compromised position of funding a program that is harmful to the livelihoods of the people they are supposed to be assisting. In recent years, aid agencies have made an effort to review and correct

flaws in the implementation of Land and Forest Allocation and Land Titling Policies (Jones, 2002), but so far few substantial changes in approaches to swidden agriculture, such allowing for longer swidden fallow periods, appear to have been implemented at the local level, leaving many critical obstacles largely unaddressed in practice.

## 5. Voluntary and Involuntary Resettlement

Various international aid agencies claim to be able to distinguish between voluntary (which they will support) and involuntary resettlement (which they claim not to support). This category also includes what might be termed forced, coerced and manipulated resettlement. Our own research, as well as those of Gonzales et al. (2005) and Evrard & Goudineau (2004), calls into question this whole framework. As Evrard & Goudineau (2004: 947) succinctly put it, "The distinction between voluntary and involuntary resettlement makes no sense in the Lao context."

The terms voluntary and involuntary fail to adequately describe the decision-making processes or local context that result in the movement of communities and people in Laos. More accurate terms of definition might be villager-initiated or externally-initiated or coerced resettlement, but even these cannot represent the complex situations that often develop. It is clear, however, that almost all of what is classified as voluntary resettlement in Laos is, in reality, not villager-initiated. Despite claims that there is no involuntary resettlement in Laos, it often takes place after a number of escalating steps that are designed to fundamentally influence or coerce villagers to support the resettlement option (Gonzales et al., 2005).

> Local experience with the Land and Forest Allocation program illustrates this point. Swidden agriculture is restricted, and fallow cycles are shortened to such an extent that villagers are no longer able to grow enough food to survive. As GoL authorities are well aware, a hungry person in the mountains who sees little prospects for getting ahead given the restrictions on swidden agriculture or opium cultivation, is likely to be more receptive to moving to the lowlands than someone with enough rice to eat. Government services in villages targeted for relocation may also be suspended, thus providing further inducement to resettle. When conditions deteriorate to a certain point, many people agree to move. In some places, when villagers start to see future relocation as inevitable, a rush to the lowlands develops in order to get in first on the very limited land and resources available in resettlement areas. In cases where villages initially resist moving, they will eventually receive a written order from district authorities informing them that they must move by a certain date. When talking with outsiders, villagers who have moved will often report that they moved voluntarily. But the reality is that their resettlement was coerced and manipulated by authorities; the villagers did not initiate the process.

> Prior to resettlement, villagers are usually promised benefits in order to convince them to move. However, the benefits rarely materialize, either due to a lack of government resources or overly optimistic assessments of the adaptive capabilities of resettled people. In some cases, officials deliberately mislead villagers to convince them to move. The head of the Women's Union in Nga District, Oudomxay Province, in northern Laos reported that it is necessary to lie to local people about the extent of benefits they will receive if they move, because if they were told the truth, local people would not agree to move (Emily Hicks, WFP, *pers. comm.* 2004). Many of these promises to villagers involve directing international aid agency support to communities once they are resettled. Sometimes government officials promise resources will be available to resettled people without the knowledge of donors. Officials make promises first and then approach donors later.

It is not enough to simply ask whether people are resettling voluntarily or not; it is critical to ask what conditions, or changes in circumstances, led to people volunteering to resettle. Unfortunately, this critical question is often neglected. Most donors lack the capacity or the time to adequately assess what is voluntary and what is not. Their local staff are seldom aware of the underlying issues and often lack the cultural understanding, perspectives, and languages needed. So they fail to sufficiently identify with the villagers' interests, or to even explore the issues in any substantive detail.

## 6. The Impacts of Internal Resettlement

There is a large and growing volume of studies and literature that documents the social, cultural, economic, and environmental impacts of internal resettlement in Laos, including Village Consolidation, Focal Site, and Land and Forest Allocation initiatives promoted by the GoL and directly or indirectly supported by international aid agencies (Goudineau, 1997; State Planning Committee, 2000; ADB, 2001; Chamberlain, 2001; 2002; Daviau, 2001; 2003; Jones, 2002; Romagny & Daviau, 2003; Vandergeest, 2003; Ducourtieux, 2004; Evrard, 2004; Alton & Rattanavong, 2004; Evrard & Goudineau, 2004; Baird, 2002; 2003; 2004; 2005; Gonzales *et al.,* 2005). This documentation has been very useful in helping some people in the development community gain a better understanding of the causes and impacts of internal resettlement in Laos but, unfortunately, many of these studies have not yet been widely distributed. Furthermore, some expatriates and Lao people responsible for planning and implementing rural development work in Laos appear to have simply ignored the literature.

The first major study of internal resettlement in Laos, sponsored by UNESCO, UNDP and ORSTOM, was conducted in 1996 by a team from the Ministry of Education and led by French anthropologist Yves Goudineau. Their report, *Basic Needs of Resettled Communities*, covered six provinces (Xieng Khouang, Oudomxay and Luang Namtha in the north and Xekong, Saravan, and Attapeu in the south), 22 districts, 67 villages, and 1000 families (Goudineau, 1997). They examined the Focal Site concept, which UNDP was promoting in the mid-1990s, and village resettlement in general. They found that Lao development initiatives have been unable to meet the goals of stopping swidden agriculture, resettling people, or improving the livelihoods of rural populations. Instead, GoL development programs have led to uncontrolled migration to the lowlands, but also sometimes back to the uplands. They also found that the forced transition from upland rice to lowland paddy rice production has caused "great difficulty" for those relocated—resulting in lower overall rice production and longer periods of food shortages. In the majority of cases reviewed, alternatives to upland crops have not given enough revenue to provide villagers with any significant profits. It was found that it takes a number of years for communities to recover from the severe impacts of relocation—and even then there is very little, if any, improvement from their previous lives in the mountains (Goudineau, 1997).

Goudineau (1997) also clearly demonstrated that relocation has had severe impacts on people's health. The first three years are particularly severe with epidemics and greatly increased disease rates. People have been weakened due to hunger leading to sickness. Some villages have "literally been decimated (with up to 30% dying, mostly due to malaria" (Goudineau, 1997: 28). These changes have long-term impacts, as shown by continued high infant mortality rates. Relocated highlanders have not benefited much from the supposed improved access to health services and "will only turn to local health facilities as a last resort" (Goudineau, 1997: 29).

Since then, a number of other studies have been equally critical of internal resettlement in Laos. For example, in 2000 a Participatory Poverty Assessment of Laos examined who in the country is poor and why. This was the first GoL-issued report to frankly acknowledge that internal resettlement associated with Focal Sites and Land and Forest Allocation is having a negative impact on poverty and livelihoods throughout the country. The most striking finding was the extent to which many rural people, particularly ethnic minorities, considered themselves newly poor—that is, they understood their acute poverty to be a recent phenomena, not a long-standing condition. Rather than alleviating poverty, the study concluded that the poor themselves see Land and Forest Allocation and village relocation as directly contributing to their increased poverty (State Planning Committee, 2000; ADB, 2001; Chamberlain, 2001).

Since then, a number of other studies and published papers have added to the evidence. These have included studies of internal resettlement in Long district, Luang Namtha province, in northern Laos (Daviau, 2001; 2003), a study on development options that do not require internal resettlement (Chamberlain & Phomsombath, 2002), a study on the economic impacts of internal resettlement in Phongsaly province, northern Laos (Ducourtieux, 2004), and a study on service delivery and internal resettlement in Xekong and Luang Namtha provinces. Vandergeest (2003) also provided a critical examination of how resettlement and land and forest allocation initiatives have reorganized the whole spatial orientation of upland people—including changing their agricultural practices, altering access and use of forest resources, reorganizing the spatial layout of villages along roads and even of reorganizing houses, to be more permanent and sturdy like those of the lowland Lao.

Other research includes a study about the nutritional implications of internal resettlement and other changes in livelihoods (Krahn, 2003), critical examinations of Land and Forest Allocation in Laos (Evrard, 2004, Ducourtieux et al., 2005) and a review of how some communities are resisting efforts to resettle them and limit swidden agriculture in areas historically farmed by local people (Moizo, 2004). On opium eradication, a 2000 study by Cohen (2000), found that resettlement of opium growers does not reduce opium addiction, while another researcher, Lyttleton (2004) has shown that resettlement of opium-growers has sometimes led to new forms of addiction, especially with methamphetamines. Most recently, Gonzales et al. (2005) have clearly shown that the internal resettlement situation in Laos is still critical, and that many serious problems remain. Furthermore, they found that the GoL intends to conduct more resettlement in the coming years.

## 7. The Involvement and Response of International Aid Agencies

Release of the Goudineau report in 1997, and subsequent international media attention focused on the human rights implications of internal resettlement in Laos (Agence France-Presse, 1998), led to a period of moderate aid agency concern regarding this issue. In May 1998 large donors met and several indicated an unwillingness or reluctance to fund further internal resettlement in Laos (UNDP, 1998). Concerns over the impacts of resettlement also led a number of INGOs and IOs, in particular several France-based agencies, to begin a process of studying and addressing these issues. However, the subsequent responses of individual agencies to the mounting evidence that internal resettlement is doing more harm than good has been very mixed and inconsistent.

### 7.1 Differing Aid Agency Responses

Based on interviews conducted in 2003–2005, we have categorized the responses of aid agencies to the internal resettlement issue in Laos as: 1) Active or Uncritical Support, 2) Ignorance, Disinterest, and Denial, 3) Conditional Involvement, and 4) Active Resistance.

#### 7.1.1 Active or Uncritical Support

Some aid workers and agencies in Laos are uncritically supportive of the GoL's resettlement initiatives. Some are actively assisting the GoL with opium eradication and the reduction of swidden agriculture.
In a few cases, there is a belief that the Focal Site concept remains valid and worthy of support by donors, and that problems with resettlement have mainly been due to a lack of financial support. As well, it is believed that any suffering faced in the early years after resettlement is likely to be followed by better conditions in the long-term.

More often, aid agencies believe they are taking a pragmatic approach by going along with support for resettlement work. There is a belief that resettlement is inevitable and that "if you don't support it you can't work in Laos" (*pers. comm.,* director of the UN's World Food Programme in Laos 2005). The role of outside agencies is to try to make the initiative work as well as possible, even if the concept is flawed, and the result is detrimental to rural communities. While the UNDP has been somewhat more cautious about actively supporting resettlement since the Goudineau report, many other UN agencies, such as UNICEF and FAO, continue to work in Focal Sites and appear to be uncritically supporting the GoL's rural development policy.

The UNODC's US funded anti-opium campaign remains a major impetus for resettlement in some northern provinces. UXO Lao has been giving priority to unexploded ordnance (UXO) clearance in Focal Sites, including clearing resettlement sites and places where resettled people are expected to conduct lowland wet-rice paddy cultivation.

Some agencies claim a humanitarian mandate, stating that they have an obligation to support suffering people regardless of how they have managed to fall into their desperate circumstances. They argue that it is not the fault of local people that they have been resettled, and that they should be supported in order to reduce the amount of severe human suffering within those communities.

The Red Cross, AFSC/ Quaker Service Laos and others have at times taken this position in justifying the provision of assistance to recently resettled communities. The United Nation's World Food Programme (WFP) takes a similar approach in

providing emergency food aid. In many cases this assistance is provided uncritically and without any attempts to work with local counterparts to ensure that important issues are critically analyzed, or to prevent such human disasters and emergencies from occurring in the future. For example, local GoL officials are often allowed to decide what villages should receive WFP Food-for-Work support, without any apparent consideration by WFP of whether that aid is being directed to supporting internal resettlement.

The ADB has built roads specially designed to link Focal Sites. It has supported anti-shifting cultivation activities directly associated with internal resettlement, and it has funded construction of large numbers of schools in resettlement areas.

### 7.1.2 Ignorance, Disinterest and Denial

Roughly half of the aid agency representatives and other senior staff interviewed were generally unaware of the problems and controversies over resettlement. This was particularly noticeable among INGO and IO expatriate representatives as well as local staff. In fact, several agencies are working in rural development in upland areas appeared to have no understanding of the issues confronting rural communities in relation to resettlement.

It may appear surprising that those responsible for implementing these projects seem to be doing so without understanding or confronting these basic issues of Lao rural development policy, but our findings indicate that this is often the case. Agencies in this category have been supporting internal resettlement to some degree without clearly understanding what they are doing. Not knowing what questions to ask, they have been led to work in Focal Sites or in support of Village Consolidation without understanding what those terms even mean. Sometimes they confuse involuntary resettlement with voluntary resettlement, believing that they are supporting the latter when they are actually supporting the former.

### 7.1.3 Conditional Involvement

Some agencies acknowledge that internal resettlement in Laos is creating severe problems for rural communities but still provide some assistance to the process. For example:

- Quite a number of agencies will support resettled communities if the resettlement is considered voluntary.
- Some agencies take a humanitarian approach, as described in the Active Support section above, but on a more conditional basis. ACF, for example, is

critical of internal resettlement but has provided short-term relief to resettled communities in order to cope with imminent large-scale hunger and illness. ACF limits this to short-term emergency relief and will not provide longer-term development support to resettled villages, in order to avoid facilitating what the agency views as a fundamentally flawed initiative. When providing this short-term support, ACF takes the opportunity to enter into discussions with their local counterparts in order to ensure that lessons are learned. At the same time, the agency works with upland communities and local governments in order to provide alternatives to further internal resettlement.

- Some aid agencies may decide to provide food aid or health education, including reproductive health training, in order to try to prevent severe disease and deaths in newly resettled communities. However, they provide little or no infrastructure support, so as not to signal support for the resettlement process.

### 7.1.4 Active Resistance

The minority of aid agencies refuses to be involved with internal resettlement and some of these are promoting alternatives. We have characterized the rationale for this approach as follows:

- Supporting recently resettled communities legitimizes an illegitimate resettlement program that is fraught with human rights concerns. It masks the serious problems associated with resettlement and thus prolongs attempts to relocate communities to inappropriate locations that are not sustainable without ongoing aid agency support due to their fundamental flaws.
- Supporting recently resettled communities, in effect, subsidizes the GoL's ill-conceived policies. Without having to pay the costs of internal resettlement, the GoL is relieved of responsibility, which makes it easier to proceed with further resettlement.
- Due to the lack of suitable land, many Focal Sites will never be able to support the numbers of people that the GoL authorities want to move in. Focal Sites almost never achieve their goals of improving human welfare. More often Focal Sites are rife with resettlement-induced diseases and unnecessarily high mortality rates. And despite outside assistance, food shortages and chronic poverty prevails. Therefore, providing support to Focal Sites is a waste of limited resources.
- The State Planning Committee's Participatory Poverty Assessment does not recommend that aid agencies facilitate resettlement. It clearly states that donors should listen to the poor and concentrate on assisting upland com-

munities by building on what they already know: swidden fields, livestock, and the forest (State Planning Committee, 2000: 15).
- Aid agencies should use their limited funds to: 1) support communities faced with natural disasters; and 2) promote sustainable development rather than resolve policy-induced health and welfare problems that could have been avoided had better strategies for alleviating poverty been adopted.
- It is very difficult for aid agencies to determine the true reasons why people resettle, and if resettlement is voluntary, coerced, enticed, negotiated, or forced (see above). Therefore, it is best to avoid resettlement all together and focus resources on preventing future resettlement.

One past GoL argument in favor of resettlement has been that aid agencies will not work in remote areas without vehicle access. A number of agencies in the Active Resistance category are now explicitly deciding to work in remote areas off of roads, and to make much stronger efforts to hire indigenous local staff in order to better support remote ethnic communities who prefer to remain where they are. This involves pro-active negotiations with local authorities designed to determine what development support is needed in order to help villages avoid resettlement. In this way, some agencies have helped prevent resettlement. Rather than accepting it as inevitable, they are demonstrating that there are ways in which donors can engage in the resettlement issue and promote alternatives while continuing to work cooperatively with the GoL and local people.

### 7.2 Seeking Alternatives to Resettlement

Aid agencies, including ACF, Concern Worldwide, Christian Reform World Relief Committee (CRWRC), Enfants et Developpement (EED), VECO Laos, CCL, ADRA, and others have begun implementing innovative programs to assist people living in remote upland areas who might otherwise been resettled. These agencies are demonstrating that it is possible to help local communities develop alternatives to resettlement while working cooperatively with GoL authorities.

We found no examples of aid agencies helping villages return to mountainous areas from the lowlands after resettlement but there may be the potential for this type of assistance. The Belgian INGO VECO Lao is assisting one resettled ethnic Lahu community in Meung district, Bokeo province, with resettlement to a more suitable site in order to decrease land pressure for the remaining population. Some

agencies are trying to provide rural infrastructure in existing upland villages as part of a preventive approach to resettlement. The French agency EED, for example, has supported the construction of a gravity feed water system in an ethnic Akha village in Meung district, Bokeo province in northern Laos.

In 2004, Concern Worldwide completed a 17-kilometer road to a remote ethnic Hmong village in Moksuk Thafa sub-district, Houay Xay district, Bokeo province, with the intention of providing development worker access to the village. Concern also hoped to deter the government's plan to resettle the community near a major road, where the villagers did not want to live. Compared to previous years, Concern has also become more focused on assistance to remote villages, in order to discourage the GoL from moving villages to more accessible areas where they expect agencies such as Concern would rather work. Notably, Concern is one of the few aid agencies in Laos that has developed a policy on internal resettlement in Laos. They are taking the issue seriously and making an effort to address it head on.

ADRA has recently launched a new initiative in Vieng Phouka district of Luang Namtha province, aimed at assisting upland villages through with sustainable agriculture and forest use. ADRA first carried out detailed land-use planning, in consultation with local people, which suggested that it would be feasible for the communities to develop sustainable livelihoods without moving, provided local people had ownership and control over the forest resources upon which they depend. Sustainability would be possible, ADRA maintains, if local people control and benefit from forest resources, and if targeted investments are made. The main challenge, however, is, in our view, outside interests who covet these same forest resources. Allowing village control over forest resources has been controversial in Laos. This again highlights the question over whether the underlying justification for internal resettlement in Laos relates more to conflicts over natural resources in the uplands than to anything else. It remains to be seen whether outside aid agencies are able to ensure appropriate development for upland communities in Laos, given this underlying dynamic.

ACF is another aid agency that is actively working to provide development support in upland areas in Xekong and Luang Namtha provinces, with the explicit objective of helping to prevent resettlement from the uplands to the lowlands. In Kaleum district, Xekong province, they have supported construction of gravity-feed clean water systems. According to project staff interviewed, they believe that providing this infrastructure in remote mountainous villages will remove significant incentives for the GoL to resettle people to other areas. They are also demonstrating to the GoL that aid agencies are willing and able to effectively work in remote parts of the country.

## 8. Discussion: Analysis of the different approaches to internal resettlement issues in Laos

Certainly there is some overlap in the above approaches and positions on internal resettlement, even when it comes to individual organizations. One of the striking points from our research is the lack of consistency on this issue among international aid organizations, and even within the agencies themselves. Most have not developed any formal organizational or country-specific policies or strategies for addressing internal resettlement. Although the overall objectives of some organizations, like the Red Cross, with its humanitarian emphasis, or UN agencies, with their mandate to work closely with the government, have influenced the positions that some organizations have taken to resettlement, we were surprised to find that the most important factor influencing the directions that different organizations have taken has been the people involved. Critically, the level of understanding that difficult individuals have had in the issue has greatly affected the directions that organizations have taken. Also, organizations that were more concerned about their projects being delayed or stopped have tended to be manipulated into supportive ill-conceived internal resettlement more than those who were less concerned about engaging with these sorts of problems.

Furthermore, those more concerned with socio-cultural and ethnicity issues, as well as human rights, have tended to be more critical of internal resettlement than those with more modernizing development agendas. This should be of little surprise, as there is a long history of the use of spatial reorganization as a tool for facilitating modernizing forms of development.

Based on the substantial volume of evidence and literature on internal resettlement in Laos, there appears to be very little justification for aid agencies involved in rural development in Laos to continue to either ignore the issue or to uncritically support internal resettlement. First, there are no credible empirical studies that support the position that Focal Sites, or internal resettlement in general, is benefiting either resettled or host communities in rural Laos, even in the long-term. Believing otherwise can only be classified as wishful thinking. Many people relocated decades ago continue to struggle to recover from the loss of their original homes and land (Goudineau, 1997; Evrard and Goudineau, 2004). Even if the long-term improvement hypothesis promoted by some, like Lux Development, turns out to be accurate, it is the impacted people (those who are made to suffer in the early years) who should be making the decision whether or not they are willing to pay this heavy short-term price for uncertain long-term benefits —not outside aid agencies unaccountable to local communities. As one INGO representative noted, considering the high mortality rates often associated with the early years of resettlement from upland to lowland areas,

"It is only those who survive the early period that have any chance of benefiting in the long term in any regard."

Some active support for resettlement is based on inadequate analysis or understanding. Given the amount of attention that resettlement has received since at least 1997, and the key role that aid agencies play in funding it, the lack of understanding, awareness, and appropriate responses by some aid agency staff can only be described as irresponsible. Based on our interviews and field work, there appear to be several reasons for this unfortunate situation:

- *Frequent turnover of expatriate staff* results in a lack of institutional memory or learning for many development organizations, and a chronic lack of local language capacity. Inadequate country-specific orientation has meant that expatriate staff lack an in-depth understanding of Lao rural development policy and issues. Some never gain this understanding. For others, once they do, the time soon comes for them to leave the country, and the cycle is repeated.
- *Local staff hiring practices of aid groups strongly favor the 30% of the country's population that is ethnic Lao over non-Lao ethnic groups*. The qualifications most valued by aid agencies—English, computer skills, and university degrees—result in an urban and ethnic Lao bias in hiring practice. Few members of ethnic minority/indigenous groups are seen as qualified for these positions, even though many are qualified, and so they are rarely hired to work for aid agencies. Even if one or two token members of non-Lao ethnic groups are hired, they tend to conform to prevailing practices and attitudes within the agency rather than bringing the experiences and views of upland communities to inform the agency programming or challenge the pre-conceived notions lowland Lao staff may have towards upland cultures. Some do not even speak their own languages in villages of their own ethnic groups, having gained the impression that only the Lao language is acceptable for development work. Consequently, most of the senior local staff of international INGOs, and other aid agencies are Vientiane-based lowland Lao with many of the same ethnic biases as those in the central GoL. Many organizations fail to provide adequate orientation for new employees, and, as a result, local staff tend to have little understanding or appreciation of the livelihood and cultural systems of upland communities. Neither do they engage in much critical analysis of rural development policy. There is also a high turnover rate for local staff, which compounds the problem.
- *Some local staff see the proper role of INGOs and other aid groups as one of unquestioning assistance in implementing government policy, regardless*

*of the impact or effectiveness of those policies in reducing poverty or other GoL objectives.* Because development in Laos is commonly defined as making ethnic minorities more like ethnic Lao, local aid agency staff generally have no objections to manipulating or coercing ethnic minorities to leave their villages and take up Lao cultural and economic norms.

- *Many aid agencies do not endorse the above-mentioned views but they have done little or nothing to try to influence or counter them.* Clearly, many agencies have put inadequate emphasis on cultural and ethnic issues in their offices and in their working practices. Even agencies with explicit rights-based approaches to development and expressed commitments to social and economic justice have avoided challenging ethnic biases and ill-informed concepts about development among their own staff and with their GoL partners, for fear of offending or being perceived as controversial or political. For instance, one INGO country representative explained that the senior Lao staff in his agency had close government or Party affiliations. They were hostile towards any critical analysis of policy issues. Rather than recruiting more appropriate staff, the agency has more or less accepted the situation and avoided any discussion of policy issues. The agency is heavily involved in providing assistance to recently resettled communities.
- *Sometimes aid agency representatives are aware of internal resettlement, and may have strategies or policies, mainly unwritten, for addressing the issue (Concern Worldwide is a notable exception).* However, this is mainly a rhetorical exercise by the country representative—they have not adequately discussed the issue within their own agencies or with local counterparts. In some cases, Lao staff from these groups have communicated support for resettlement activities that the agency does not officially support, due to a lack of understanding about the position of their own organizations.
- *Internal resettlement is so pervasive that it is difficult for aid agencies to work in Laos without becoming involved.* Even where agencies had agreements to work in villages not slated for resettlement or consolidation, they have sometimes found that they were supporting resettlement. In 2004, staff from the US government funded Lao-America project reported that they would only be working in established villages and would not support resettlement. But earlier this year the staff found that, contrary to their agreement with the GoL, at least one of their project villages in Phongsaly had been moved.

It is not only a lack of staff awareness, however, that causes many aid agencies to continue to facilitate internal resettlement. Among the other reasons:

- *Aid agencies operate in Laos with a basic lack of accountability towards their beneficiaries.* This effectively cuts the agencies off from having to justify their policies or strategies to local communities or institutions or to accept feedback in any sort of structured manner. Agencies do not have to worry about any unfavorable local press accounts, criticism from local monitoring or watchdog groups, or the possibility of any legal liability when their programs end up harming local communities.
- *Even when resettlement problems are brought to their attention, some agencies appear more concerned about program continuation and not rocking the boat than they are about addressing this issue.* It is easier, and is perceived as safer, to just go along with what government counterparts want than it is to engage in an active dialogue with partners or to promote an alternative strategy. Some of these agencies claim that engaging in these issues is political and, therefore, something to avoid. But at the same time, they are failing to recognize that their unquestioning support for resettlement, and whatever GoL policy happens to be at the time, is also "political." In reality, these agencies are clearly providing legitimacy and support, through their material and financial assistance, to a very political process in support of specific policy objectives.
- *The long-term objectives of some agencies, such as the ADB, in effect require resettlement.* Regional integration, promotion of industrial forestry and cash cropping, industrialization, and the opening of markets require the type of demographic changes in rural Laos that internal resettlement is helping bring about. Periodic migrations of people from more remote villages to towns and urban centers can be expected over time. Aid agencies may have a role in trying to ease the situation of impacted or vulnerable groups when this transition happens on its own. That, however, does not justify involvement in initiatives that are forcibly inducing this demographic transition to occur.

## 9. Conclusions

The main objective of this chapter is not to illustrate the lack of success of internal resettlement initiatives in Laos in terms of improving human well-being or reducing poverty. The significant volume of recent research and literature on the subject is more than sufficient for that. Rather, our purpose is to highlight the extent to which aid agencies are involved with internal resettlement, which is having a devastating impact on the lives and livelihoods of upland ethnic communities in Laos.

Our research indicates that many international development agencies working in the Lao PDR—whether IOs, NGOs, MDBs or bilateral donors—have failed to recognize

or understand the critical importance and impacts of internal resettlement-related initiatives on the people they are meant to be assisting, or to adequately address these issues within their own projects and institutions. Despite some positive examples, most of the development agencies working in Laos are not addressing this issue with the seriousness that it deserves.

Many tens of thousands of vulnerable indigenous ethnic minority people have died or suffered due to impacts associated with ill-conceived and poorly implemented internal resettlement initiatives in Laos over the last ten years. Many of those impacted can expect to be impoverished long into the future, if not permanently. The initiatives responsible for this situation have received substantial indirect and direct support from outside aid agencies and donors. Are these agencies guilty of facilitating violations of the basic rights of impacted communities through their involvement with internal resettlement? Given the complexity of the issues and the varying site-specific situations involved, it is not easy to pass judgment on the difficult decision-making processes and resultant actions of individual agencies.

But overall, the international development community has little to be proud of concerning its response to internal resettlement in Laos. Given the political and cultural context in the country, international aid agencies operate there with very little accountability—other than to themselves and the GoL. They face no real scrutiny from local communities, independent media or other institutions and seldom have to justify their actions. At the very least, a close examination and reflection on the practices of individual agencies seems called for—by the agencies themselves, by their partner organizations, and by those that provide funding or other support to them. Fair and independent in-depth assessments, based on an understanding of the issues presented above, need to be done for many of the aid agency programs in Laos in order to examine whether these groups are really acting in the best interests of those they claim to be serving.

In order to avoid the possibility of further support for inappropriate internal resettlement, aid groups need to take much more analytical, pro-active, precautionary, culturally and ethnically sensitive approaches to their rural development work in Laos. Taken to its natural conclusion, this would by definition have to include advocating for ethnic minority individual and community property rights. However, even given the obvious political constraints, aid organizations could do much more to understand, analyze, and advocate on these issues.

Certainly local conditions in different parts of Laos are going to necessitate different approaches and resources. We are not saying that donors should never assist resettled communities. But we do believe that such assistance should only even be considered when based on a full understanding of the issues involved, and within the context of well-thought out approaches aimed at preventing further inappropriate

resettlement. Otherwise, agencies may well find themselves facilitating processes that are at odds with their stated humanitarian objectives. The provision of infrastructure can provide local officials with justifications for additional resettlement, and for preventing resettled villagers returning to mountainous areas or moving to other more suitable locations in the lowlands. Even the most well-intentioned infrastructure support to newly resettled communities can end up acting as, what one INGO worker called the equivalent of chains on the legs of the resettled people.

Improving the response of aid agencies to these issues requires better critical research and analysis, better addressing of ethnic and cultural issues and staffing, and the willingness of agencies to hold themselves more accountable to local communities.

The goal of this chapter is not to provide all the answers in relation to internal resettlement and aid agencies, as there are many opinions and approaches to this complex issue. It is, however, critical for all international aid agencies and donors to at least spend an adequate amount of time to educate themselves about these important issues, and the potential positive and negative consequences of their actions. If aid agencies are more fully informed, their decision-making processes in relation to international aid and internal resettlement can only improve, and this will be beneficial to the Lao PDR and its people.

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## Chapter 14

# From Collectivization to Poverty: Natives and State-Owned Enterprises in Vietnam's Central Highlands

**Frédéric Fortunel**

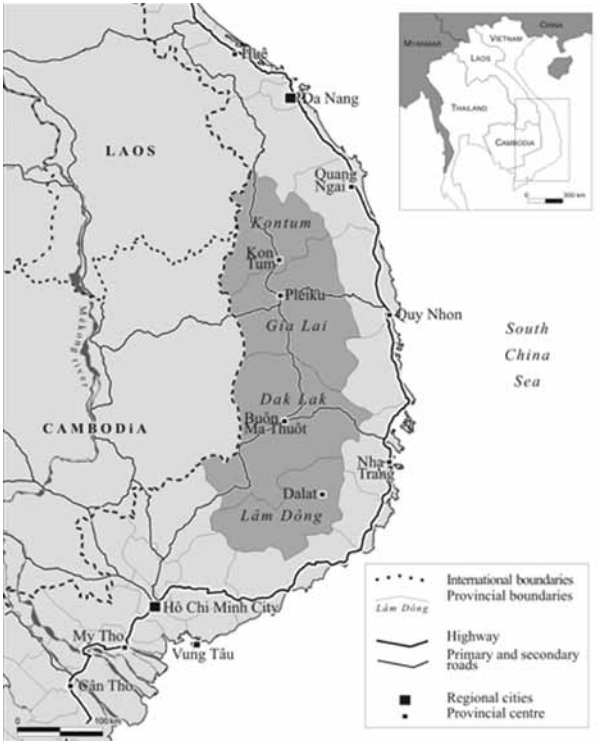
This paper explains the transition from collectivization to decollectivization in the Vietnamese Central Highlands in order to understand how the dismantling of the collective system has indeed led to the exclusion of some minorities.

This topic is addressed in three parts. The first section analyses the logic of the integration of indigenous villages into the State economic system from 1975 to 1985. This period corresponds to the rise of state power generally and the peak of the state farm programmes specficially, as it extended over more and more territory in the highlands in this period. The second part attempts to understand how the State Owned Enterprises (SOEs) were reformed throughout the 1990s in accordance with the new economic guidelines (*Doi Moi* policy), and how the natives are dealing with their exclusion from the collective system. The third part demonstrates how the return of the land (subsumed into the collective farming system some 20 years earlier) to local household ownership resulted in increasing poverty among the minorities, whereas the adoption of coffee production targets had been intended to enrich them. From this point of view, the sudden fall in coffee prices in 2001 was one of the reasons for the demanded return of their ancestral lands.

### 1. The Process of Indigenous Integration into State Farms

The collectivist system was first conceived and put into practice in the Mountains of Northern Vietnam in the 1960s and was implemented in the Southern Vietnam Highlands later, after 1975. For a span of nearly 10 years, the authorities implemented a system of political and social control. As part of these controls on minorities, the resettlement policy was one important tool in the reinforcement of the State authority

**Map 1. Location of the Vietnam's central highlands**




**Source:** Administrative map of Vietnam, 2002.

in the highlands. Hanoi's main target, at every level of the administrative structure, was to maintain as much control as possible over the land and its inhabitants, dedicating both to providing resources for "building socialism".

### 1.1 The state farm as a tool of controlling land use

According to the historical tradition of the Chinese dynastic chronicles, the formerly independent kingdom of Champa was annexed by the Dai Viet during the Nam Tiên period (11th through 17th centuries). With this new territory, the Vietnamese State reorganized Tây Nguyên, establishing farms based on principles of military defense (*Tây Tiên*, De Koninck R., 1996). In order to secure uncontrolled zones, these farms formed a network of State representatives in the Southern mountainous areas.

Comparable to this historic, geo-strategic policy, in 1975 the authorities decided to scatter State-Owned Enterprises (SOEs) in rural areas; these included new economic zones, cooperative farms, and agro-forestry projects. Thanks to the fact that the nationalization of the land had, in theory, already denied the farmers any rights to their land, this collectivization could be easily implemented, with the foundation of several hundred SOEs by the middle of the 1980s. At the peak of their geographic extent and political power, the SOEs in Tây Nguyên represented approximately 80% of the total area of each province.

What has been at stake in the redistribution of the land is the pre-existing, uneven relationship between the farms (taking up a major part of the land) and the great majority of the population (sharing a smaller part of the land). For example, In Gia Lai and Kon Tum provinces, 28% of the population had been integrated into agro-forestry projects occupying 65% of the province's area. Whereas each person settled on a farm incorporated into these projects can use an average of 15 ha, a farmer working outside of the system would only be allowed to use 0.8 ha (Vu Dinh Loi, 2000). If these figures sound speculative and reflect poorly upon the potential use of the soil by workers, they also reveal how deeply imbalanced the SOE system has become, controlling the larger part of the lands and peasant households, often carrying on their traditional activities in the forests surrounding the project site.

In contrast to the first colonial plantations, representing only a few hundred hectares in the mid 1920s, the SOEs at their peak controlled almost all of the land available in the Highlands, at least in theory. In parallel to this increase in territory under state control, the diffusion of the coffee tree further and further into the hinterland was undertaken with proven success: Vietnam has been standing among the world's leading coffee producers since the year 2000.

### 1.2 Integration of Indigenous Communities into SOEs

From the perspective of the state authorities of the 1970s, large plantations require extensive labour, normally composed of both migrants and natives. Within this framework, immigrant populations were encouraged to settle inside the area delimited by the State, with primarily Kinh people responding to the opportunity (comprising 70% of the area's migrant population in 1999) (Australian Agency for International Development, 2000). Communist leaders decided during the same period to recruit a significant number of indigenous employees. Thus, unlike the colonial plantations, indigenous groups were "called for" (in accordance with the Vietnamese expression, *thu hút*) in these enterprises.

This policy of mixing ethnic groups was designed to accomplish two two objectives: promoting the plantation of coffee trees with all available labour and

strengthening the process of cultural assimilation, wherein minorities were presumed to be the less ″civilized″ party (Rambo T., 2003). As a consequence, a quarter of the natives of Dak Lak province were recruited into SOEs between 1975 and 1985. By the latter date, one can estimate that 20% of the overall population of this province had been integrated in the state farms (Vu Dinh Loi, 2000).

The State organized these minorities in such a way that there was no alternative: use of the land surrounding the villages was prohibited to people who were not integrated into the SOE system. The remaining minorities, deprived of the best land, had to cope with cultivating marginal areas or integrating themselves into the co-operatives. In this way, indigenous peasants located within the delimited land agreed to engage as workmen in these SOEs because they thought it was the only way for them to continue with any agricultural activity at all. In parallel, migrant families found that it was rather advisable to be integrated durably into the territory to benefit from the SOE's allocation of jobs and land.

On paper, the whole territory was controlled by the state, but aside from the neighbourhoods surrounding the farms, the bulk of the forested areas could not be controlled in practice, due to the SOEs' lack of capacity in rural areas. As a result, belts of forest remain in place where opposition groups such as FULRO took refuge from the late 1960s through 1970s. In the mid 1990s these areas changed into a new front for pioneering agriculture by spontaneous migrants (Tran Dac Dan, 2002; see map 2).

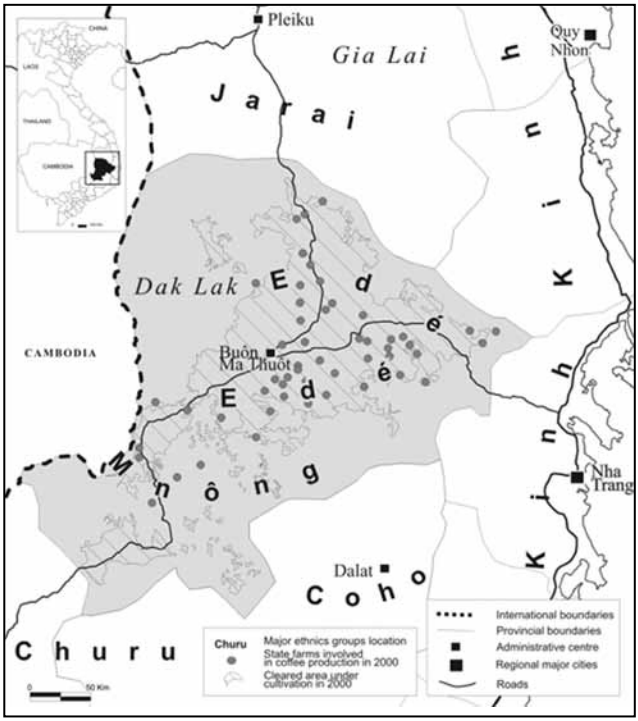
## 2. The State Farm Reforms and the Exclusion of Indigenous Workers

The Renovation policy initiated in 1986 requested that the SOEs control the social and economic wheels of reform. Henceforth, the state farms had to make an effort at rationalizing their operations; moreover, the failures of the planned economy led authorities to promote the recovery of peasant autonomy in the management of their own interests, including appropriating ownership of the soil. Among the consequences of these reforms, two essential elements were the reduction of the state farm's territorial influence in favour of local households and the rationalization of relations between farms and workers.

### 2.1 The Land Law and the Fall of the State Farms' Influence

In the early 1990s, several Vietnamese authors reproached these farms for having too much land in proportion to what they really use and for exploiting forests without planning (Uy ban khoa hoc xa hôi, Uy ban nhân dân Dak Lak, 1990; Lê Van Khoa, 1997). The arguments raised by both peasants and the authorities against the

**Map 2: Ethnic groups, state farms and used land in Dak Lak province**




**Sources:** Administrative map of Vietnam, 2002. Re: land use in 2000: So dia chinh, *Ban dô hiên trang su dung dât nam 2000-tinh Daklak*, 2001, scale 1/250 000e. Re: state farm location: data from Dak Lak province people's committee census, Buôn Ma Thuôt, 2000.

state-controlled farms are, ironically, the same as the state's original rationale for the imposed requisitioning of land from these communities in the early stages of collectivization. Indeed, the establishment of state farms had been justified by the fact that the authorities offered a "rational" programme of agricultural and territorial management, in contrast to the natives who were supposed to exploit "too much land because of their slash-and-burn system" (*rây*). The Popular Provincial Committee also criticized these farms for having recruited natives without properly carrying out the selection of future workers.

The implementation of the Land Law was supposed to redress all of these concerns, and was attempted by the majority of the SOEs in the Highlands. Pursuant to

this strategy, the first land reform act was proclaimed in 1989, followed by a second version of the legislation in 1993. This Land Law went on to be amended in 2001 and 2005, defining important rights to sell, mortgage and inherit the use of land, which nevertheless remains the property of the state.

The titling procedure affects rural and urban families seeking the certification of their land-use rights by local authorities, attesting to the transfer of the aforementioned rights. As for the situation of the SOEs in regard to their land, decree n°01/CP enacted in 1995 stipulates:

> . . . [A]ll the lands not used are entrusted to the locality where the farm is installed. The remaining lands which are not exploited by the farms are transferred to the workmen and employees so that they can undertake their activities. (Nguy Thi tiên Cu, Phi Van Ky, 1999)

Consequently, the state's share in the plantation of cash-crops areas rapidly decreased from 75% in 1984 to 51% in 1990 then to 15% in 1995 and 2000. Currently, by Vietnamese measures, the state sector represents only 7% of the total surface cultivated for agriculture. In accordance with the "de-nationalization" of the land under the Land Law, a diminished total of eighty eight (88) forestry farms and fifty seven (57) agricultural farms established in Tây Nguyên occupied 40% of the measured surface area in 2000, as compared to an average of 80% in the mid 1980s (Bô nông nghiêp va phat triên nông thôn, vu kê hoach va quy hoach, 2002; Vu Dinh Loi, 2000).

Furthermore, authorities amended the status of the workers engaged in farming, with consequences lasting a lifetime. Between 1989 and 1993, nearly 1.5 million employees left the farm sector as a result of their classification as "not very skilled", with dismissal, retirement or reduction of working hours ensuing (Fahey, 1994; Paquet, 2004). Over the same period, in Dak Lak province, the proportion of indigenous workers dropped from 25% to approximately 10%. (Vinacafé, 2000)

### 2.2 The Workers' "Choice": Stay or Resign from the SOE

At this time, the peasant workers had to opt for one of two concomitant dynamics: they could either sign a contract allowing them a piece of land or they could move towards the private sector, but would then be forced to find a new plot of land for themselves. On the one hand, the guarantee of land tenure for the workers was part of the legal reforms, sealed by a contract signed between each farmer and the SOE. On the other hand, the same reforms impelled peasants to enter the household economic system while strengthening their rights to determine their own land use.

Contrary to the former period of collectivization, the most important requirements for signing a contract with the SOE were now the the capacity to invest in coffee plantations. The contract offered to peasants wasn't simply related to their contributing their labour, but rather questioned their capacity to invest in inputs like fertilizers. That required a degree of capital that not all the peasants could provide. Indeed, in terms of economic sustainability, future contractors also had to reach a sufficient level of output to turn a profit.

These conditions created a clear division between peasants who were ready to sign a contract and those who, in fact, would not be able to meet these criteria. However, the available capital substantially differed between Édé and Kinh workers. This major difference is a result of to the recruitment policies of the SOEs in the 1980s: according to most of the Kinh population, the recruitment procedure for individuals benefited active labourers only, whereas the employment of indigenous communities concerned the whole family or sometimes the whole village. The latter approach reflected the need to support minorities while exerting control over them. Consequently, social disparities have deepened between these two types of farming communities.

For migrants, the head of household working in a SOE (hired individually) could pursue multiple income earning strategies that generally resulted in the division of work within the family: the man would work in the fields while his wife worked at the market. Conversely, native communities (engaged collectively) in the neighbourhoods surrounding a SOE had to be entirely devoted to the farm. Paid as full-time day labourers with staple food, these Édé families did not have any time remaining to work on their traditional paddy fields (Dang Ding T., 2002). Hence, two different scenarios emerged for workers confronted by the reforms: over the course of a decade, some workers' families had the possibility of diversifying their sources of income while others were almost directly dependent upon the farms.

Even if considered as separate entities, these two populations were both witness to the acceleration of deforestation during the 1990s, driven in particular by the race to appropriate land led by spontaneous migrants (along with local farmers). Under these new conditions, indigenous communities who claimed the restitution of their land were in a rather uncomfortable situation.

### 3. The Return of Natives to their Vanished Land

Neither the State farm reforms nor the implementation of the Land Law returned the minorities to their "old" customs. The withdrawal of SOEs created an opportunity for them to start cultivating coffee on their own land, but only in accordance with state guidelines. Natives were forced to adopt the common model of the rural household and, finally, to sell their land in order to continue their cultivation.

### 3.1 The Resettlement of Minorities for Coffee Cultivation

The farm rationalization focussed on already-existing projects and the reduction of the area under their control. Parts of the land not cultivated (classified as "not used land" or "bared land") were detached from the farm and then "returned" to the peasants through a transfer to the commune-level administrative authority. The opportunity given to farming communities aimed at ultimately recovering some form of independence in their activities; there was hope of seeing the return of lands that had been seized at the time of the SOEs' founding. Symbolically, the opportunity represented by the dissolution of these SOEs was to benefit the natives who had formerly been integrated into them, and for some this meant starting again at the same projects, but perhaps with a greater degree of satisfaction than in their former status as employees. Indigenous communities could now legitimately assert their rights to the land that had been withdrawn from them at the time of the Reunification.

In September, 1987, the Communist Party of Dak Lak adopted "an economic plan for the household economy, in particular those of the ethnic minorities" in order to "continue the resettlement process" (Uy ban khoa hoc xa hôi Viêt Nam, Tinh uy, Uy ban nhân dân Dac Lac, 1990). Within this framework, minorities were encouraged to start "garden" activities, authorised one at a time, either for inside or outside their dwellings. In exchange for undertaking these new economic projects, a land certificate was granted to the farmers. Consequently, the incentive to plant coffee trees induced many indigenous families to follow the provincial government's lead. In 1989, at the same time as the enactment of the Land Law, 70 percent of the inhabitants signed a request for the attribution of land to their own families at the Dak Lak People's Committee (Vu Dinh Loi, 2000).

The withdrawal from the SOEs by some of the Édé also had an impact on the redistribution of land between the ethnic groups. In the late 1980s, migrants were able to re-purchase contracts abandoned by the natives, an opportunity largely discovered through social networks, resulting in former outsiders having a strong hold on the soil of the Highlands. In the opposite direction, many natives saw in these reforms the possibility to leave the official system they had been forced to enter some ten years earlier. This choice was apparently the most rational one in the context of official subsidies given to families.

The process resulted in the transfer of coffee-plantations, which were productive at the time, to people who had signed contracts (more often native Kinh, as explained above), whereas the lands not planted with coffee trees were "returned" to natives leaving the SOE. This unequal exchange of rights, coeval with the new contractual system, is believed to have created economic differences between contract- and

independent-farmers; in some ways, this has given considerable advantages to contract holders involved in intensive coffee production inside former state farms. By signing contracts, these new coffee farmers enjoy fertile land and all the facilities built during the collectivist period, such as irrigation networks.

### 3.2 The Plantation Paradox: Selling Land to Grow Coffee Trees

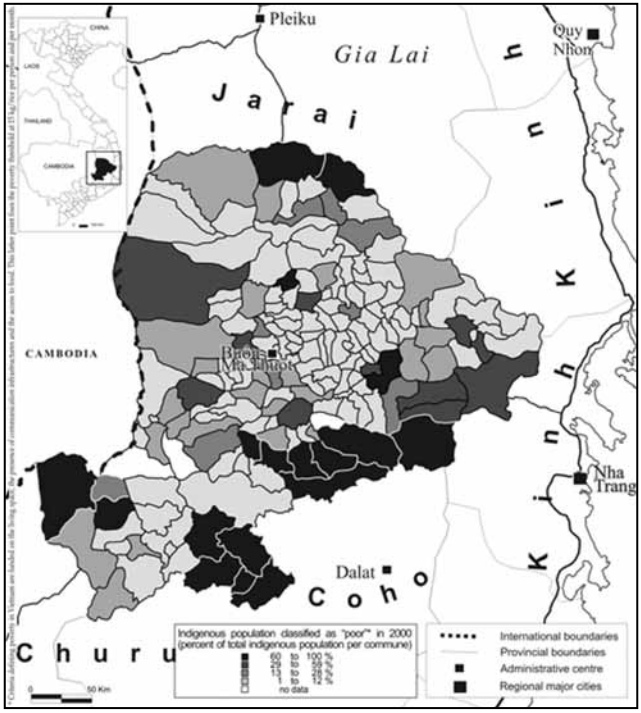
To emphasize the newly promoted household economy, Hanoi urged farmers to plant trees with high added value; accordingly, the provincial slogan became: "everyone plants coffee, all the families make coffee" (*Nguoi nguoi lam ca phê, Nha nha lam ca phê*, Y Luyên Niêk Dam, 1997). As part of the resettlement program, authorities took this plantation movement very seriously; the purpose of planting coffee was to help minorities settle down and to prevent them from returning to the mountains, i.e. the customary way of life (Salemink, 2003; Hardy, 2004). From this point of view, the household economy model based on coffee production (as promoted by provincial authorities) represented a guarantee to further the Vietnamization process. For this reason, the persuasion of the natives to produce coffee was sometimes coercive. At the beginning of the 1990s, some indigenous villagers were even threatened with imprisonment if they did not comply.

In concert with individual initiative, this pressure from the state resulted in an upsurge in the rate of land under cultivation. However, due to a lack of funds, significant numbers of indigenous villages gradually sold off their farm land to wealthy migrants in order to pay for the inputs requisite to growing the crop. Many villages were separated from the larger part of their lands under pressure from these incoming migrants and then lacked the fields to change their agricultural strategy. Throughout the Highland coffee plantations, it was common to hear the owners report that they were selling a few square metres of fertile land each year just to feed their family or to irrigate the coffee trees.

The high value of this fertile land and the fall in market prices for coffee led to a crisis for small households. Whereas the price soared in 1994, by 2001 had fallen dramatically, reaching a level five times lower than the minimum cost price set by the peasants themselves (actually allowing a small profit) of around 10,000 dôngs per kilo (Fortunel, 2003). As Bernard Charlery de Masselière wrote about the African countryside, in a frontier environment such as this:

> . . . whether the means allowed under the new rules be legal or coercive, the risk of losing the land puts the farmer in a real bind: if he insufficiently values his land, he takes the risk of losing the means to make it productive, and if he doesn't value it, he risks losing it. (Charlery de la Masselière, 1999)

**Map 3 "Poor" indigenous populations in 2000, Dak Lak province.**




**Sources:** Administrative map of Vietnam, 2002; Công Hoa xa hoi chu nghia Viêt Nam, Dê an tông quan dinh canh dinh cu vuc III, tinh Dac Lac, 2000.

In the present situation, when the available land has been almost completely sold off and coffee prices do not cover the cost of production, one may understand the reason why some demonstrators are calling for the return of ancestral lands that have partially been taken over by others.

The situation, as reported, has evolved through various stages of transformation. Many authors have observed an increasing number of landless households since the early 1990s in South Vietnam. In the comparison of the 1994 and 2001 agricultural censuses, we must give due emphasis to the fact that the number of landless agricultural households rose from 8.5 to 13.5 percent. On the other hand, there is another, simultaneous trend indicating the strong growth of households owning at least 1 hectare of land or more. In a nutshell, Highlands have, in less than 10 years, become a place

where disparities of land ownership are heightened: the percentage of families having from 1 to 5 hectares of land has increased whereas the number of families exploiting less than 0.5 ha has dramatically fallen. The high value of land is a result of the coffee cultivation rush and the increasing average area cultivated by each farmer (from an average range of 0.2 to 1 ha in 1994, rising to 0.5 to 3 ha in 2001); concomitantly, the number of landless families has grown very sharply (Tông cuc thông kê, 1995, 2003).

This imbalance in the results of land re-distribution has brought about many intense land conflicts even in areas as yet unaffected by the land certification program. Thus, according to partial data provided by Vũ Đình Lợi, between 1990 and 1998, in the four provinces of Tây Nguyên, more than 2,500 land conflicts were listed (roughly equivalent to a new fight everyday). A recent investigation into the sixty roughest land quarrels by Lay Gia, Dak Lak and Lâm Dông indicates that 75 percent of the disputes are between indigenous villagers and SOE units (cooperative, state farms) wereas 11 percent are between SOE units and the administration (Vu Dinh Loi, 2000).

## 4. Conclusion

At the end of the 90s, a social transformation occurred in Central Vietnam's highlands: growing disparities in land ownership and a high rate of poverty amongst the natives are two faces of a single mechanism. Ethnic minorities formerly involved in collectivized farming are actually seeing their living conditions getting worse. Indeed, our research, led in Dak Lak province in the early 2000s, has demonstrated how the sale of land in the centre of coffee producing basins has forced numerous households to migrate to forest areas to find new lands for their subsistence. This centrifugal movement taking place at the village level most directly impacts those who have chosen not to stay in the state farming system, and results in their departing for the provincial peripheries, where the ethnic minorities are the most impoverished.

This evolutionary process of land loss, witnessed by much of the indigenous population of Vietnam's Central Highlands, can be tracked through three major phases. The first major period consisted of the collectivization and integration of the natives into SOEs; this was followed by a period of decollectivization, leading to the final phase, when the population had to dispose of their land to potential buyers. The impossibility of the farmers' agricultural projects over the long-term would have made it possible to better plan for and alleviate this socio-economic decline.

Contrary to the essentialistic misconception that the natives' impoverishment is due to their inherent lack of capacity to cope with modern agricultural techniques, or their supposed atavism and alcoholism, as are sometimes blamed, in fact there are definite socio-economic conditions and changes to their territory that have been accountable for their destitution.

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## Chapter 15

# Standing the Storm: Indigenous Women and the Assault of Modernity

**Margherita Maffii**

The most consistent groups of indigenous people in Cambodia inhabit the provinces of Ratanakiri, Mondulkiri, Kratie and Stung Treng. More than 20 different groups have been surveyed throughout the nation, principally distributed in the highlands and densely forested areas (ADB, 2002). Some of these groups have been completely assimilated by the dominant Khmer ethnic group, some exist in reduced numbers, while others have managed to maintain their identity and population, at least until the present. In Ratanakiri and Mondulkiri provinces, indigenous people constitute the majority of the population.

Since the mid-nineties, the rehabilitation of the main roads linking the indigenous provinces of the northeast to lowland Cambodia has broken the relative isolation of the indigenous people, opening up their territories to more exchanges with the lowlands. Demand for indigenous land has brought companies into the region, as well as cash cropping farmers and adventurers in search of land for speculation (NGO Forum of Cambodia, 2006). Along the main roads, new settlers coming from the plain provinces have cleared the forest and established new villages at an impressive rate. The "development" machinery has found its way into the region too, bringing its own agenda into the indigenous communities, with various consequences (Seng Sovathana, 2004). Conservation of natural resources, intended to counteract the assault on forest-lands, have often been managed without the participation or consent of the original inhabitants, resulting in further alienation of land and resources from indigenous people (Baird & Dearden, 2003). Modernity has arrived in the indigenous areas with the connotations of free-market fundamentalism, offering to the indigenous communities its contradictory and insidious gifts.

It is, unfortunately, an accepted paradigm that women, placed at the junction between reproductive and productive life, pay an exaggerated tribute when their

ethnic groups are under threat and their material and cultural existence is menaced. This takes the shape of an increase in act of violence against them, in the implosion and disintegration of families' links, in further social alienation, and in the amplification of the double burden of racial and gender discrimination. This study has been undertaken in order to understand how women of the indigenous ethnic groups in Northeast Cambodia perceive and interact with the changes that affect so deeply their communities and lives.

## 1. Methodology

"They came, they saw, they named, they claimed."
*Decolonising methodologies, Research and Indigenous People*,
Linda Tuhiway Smith,

The last decade has seen the development of a lively debate concerning research on or with indigenous peoples, due to the influx of indigenous scholars, which has set the foundations for a new epistemology (Smith, 1999). A very active and structured domain of indigenous studies has came to light, brought together by the idea of transforming the system of knowledge that until now has dominated "indigenous" research, through an active process of cultural decolonisation. Some indigenous researchers and scholars are developing methodologies and critical approaches that "privilege indigenous knowledge, voices, experiences, reflections and analysis of their social, material and spiritual conditions" (Smith, 2005). Anti-colonial and post-colonial studies have contributed substantially to forging a critical view of western research methodologies and to set up a frame for reversing the system of representation of western social science (Said, 1978).

In a similar way, since the seventies, feminism has shaken the roots of patriarchal knowledge, challenging positivist axioms like the neutrality of science and asserting a theoretical framework for new epistemological approaches. What once was regarded as an extremist discourse is now taught in Universities all over the world and feminist methodologies, such as oral histories and collected testimonies, have achieved full recognition (Reinharz, 1992). Women from the non-Western world and minority women, excluded from the feminist debate of the 70s, have entered into the discourse, bringing a new wave of criticism and contributions. This stimulus has moved the debate toward the intersection of gender, ethnicity, class, culture, power and dominance. This is having an incredible transformative power not only on indigenous researchers, but also on the way many non-indigenous researchers are now conceptualizing their work.

By carrying out a study on indigenous women, we were placed at the core of this intersection and we were prone to many different biases across the ethnic and cultural divide. For this reason, we adopted the collection of testimonies as the primary methodology in order to allow the women to express themselves, instead of representing them by attempting to speak in their names. The women who participated agreed on the methods and purpose of the research, which was to bring their voices and testimonies to a broader audience and sensitise people about their problems. Their perceptions have been recorded according to the women's own hierarchical order of relevance, without imposing an external agenda upon them. Women were recognised as the experts, and owners, within their own experience; their vision, concerns, experiences, perspectives are the core significance of the study.

The testimonies were collected during the months from May to August 2006, in Ratanakiri, in Mondulkiri and Kratie provinces, as part of broader research on women in indigenous groups and ethnic minorities in Cambodia, during free discussions. The results of these discussions have been validated with the women involved but the researcher carries the responsibility for the final text's framework. In order to facilitate the reading we have given some details concerning their age (specifying if the woman was an elder in her community, or considered a young woman). Where the age is not explicitly stated, the women can be considered middle aged, with children. We are fully aware that many issues have been left out, or not sufficiently elucidated; we hope that this incompleteness will solicit the interest of other researchers, who would fill these gaps in the future.

## 2. Everyday Life

> They are lazy; they don't make enough effort. . .
> International NGO Representative, Ban Lung, Ratankiri,
> personal communication, 2007

Indigenous people have developed a system of living based on the exploitation of forests and centred on self sufficiency and autarky. The forest is their main source of food, food ingredients, medicines and remedies, construction materials, and many other kinds of products that contribute to their everyday lives. Their agricultural system relies on selected plots of forest, cultivated by cutting and burning trees and bushes, except for the biggest trees, which are left in place. The land, fertilised by the ashes and softened by the heat, is then cultivated by direct seeding once the rainy season starts. When the re-growth of grass and plants becomes unmanageable (occurring in one, two or more years, in accordance with the type of soil) the field is

shifted to another plot of forest, while the previous one is left "fallow". In the same plot of land, rice is cultivated together with other edible vegetables. This particular agricultural system implies a strict co-operation between the community members and the collective ownership of most of the cultivated land. For an in-depth description of the agricultural systems practised by indigenous groups in Cambodia we refer the reader to some studies on that subject (Bourdier 1995; Baird, 2000; Ironside & Baird, 2003).

Indigenous women are responsible for many crucial tasks related to cultivation and food collection, requiring a deep understanding of agriculture and a broad set of technical skills, received from generations of transmitted experience:

> When it is time to prepare the fields we work in teams, all the people in the village. Once the work in a field is done we work in another one, until all the fields are prepared. We do everything by hand, without machines. Men are normally in charge of building the fences around the fields, while women plant and take care of the cultivation. We usually plant sesame, eggplants, chilli, different kind of pumpkins, gourds, cucumbers, corn, tobacco, lemongrass, and other seasoning herbs, different kinds of beans, sweet potatoes, papayas, bananas and pineapples nearby the border of the fields. We select the seeds year by year, looking at the best plants, at the appearance of the leaves, at the growth and opening of flowers and fruits and at the seeds' appearance and integrity. We learnt this from our ancestors, from generation to generation, and we teach it to the young. Now we plant five varieties of rice: kavet, gnaul, sobeng, sticky and everyday rice. Rice planting is done in the fields after burning when the rain comes. The men dig the holes with the stick while the women plant the seeds. But women select rice seeds and decide how to divide the field. (Jarai woman in O'Yadao district, Ratanakiri)

Despite the impression of abundance given by the vigorous vegetal life that surrounds their habitat, indigenous people live in an austere environment, where livelihood is the result of steady and tough efforts. Indigenous women presume constant and demanding physical work to be normal, and they patiently endure it. There are long walks to reach their chamkars (fields) followed by clearing grass for hours; carrying heavy loads of wood, water gourds and vegetables; and helping men in clearing the forest. To these tasks must be added the burden of pregnancy, giving birth, breast-feeding, carrying and watching babies, taking care of the sick and the elder people, guaranteeing daily food, hygiene and housing.

> The hardest work comes when we should help our husbands in building fences around the field, clearing grass and preparing everything in time for the rain. But it is hard all

> the time. We only stay at home if we are sick, or if a child is sick, then the husband will do everything and will help with clearing grass and the rest of the tasks. But we have to fetch water, to prepare the fire, cook and feed the pigs and other animals. From the early morning we get up, prepare the fire, cook and boil water, wash, get water, clean the house and wash dishes, go to the chamkar, work, carry wood, carry vegetables, come back and get water, cook, wash, and so on. . . We are the first to get up and the last to go to sleep. Men go to sleep before, especially when drunk. (Tampuan woman in Andong Meas, Ratanakiri)

> The best time of my life? When I reached 45 years! Because I wasn't pregnant anymore, the children were growing, and I didn't have to go to work in the chamkar, pregnant, with a child on my back, and all the other children to look after. Then I could take a little rest. (Elder Kreung woman in Veunsai district, Ratanakiri)

Despite their great ethnic diversity, indigenous groups in Cambodia share some essential common traits. Indigenous people believe in spirits, Arak, that inhabit old forests, lakes, particular mountains, streams, rocks or villages (Ironside & Baird, 2003; Bourdier, 1996, Dang Ngheim Van, 1993). The system of beliefs of indigenous people implies that rites, and some special precautions, are necessary in the interaction with the natural world. All the gestures related to cultivation and most of the interactions with the environment are regarded as sacred, and inscribed in a system aimed at preserving the vital resources of indigenous people (White, 1996). Nature is not conceived of as human property but as a space that can be "borrowed" from the Araks living there after appropriate rituals (Bourdier, 1996).

> If the forest is old the spirits are still there. If the ancestors didn't cut it, it is because there are spirits inside. When we enter the forest for farming, if somebody falls sick or mad, that means that this forest should not be cut because it is sacred. According to our tradition the dreams of the people entering the forest are carefully considered, in order to understand what the Araks are telling them. People whose dreams are important are the people that enter the forest, men and women. If we don't listen to the Araks, somebody will be sick or even die. If people destroy the Araks' shelter, they will get angry and pull trees over onto them, or make them sick, but if the people protect their shelter the Arak will protect the community. (Bunong woman in Sen Monorom district, Mondulkiri)

Not only in agricultural practices related to food production, but all appropriations of natural resources need to be negotiated with the ancestral spirits of that particular place. Special kinds of rituals or behaviour are required to gain their approval. The

rice plant, which constitutes the main source of energy of indigenous people, has a soul and a strong spirit associated with it that demands multiple, coherent rituals to ensure the best outcome from its cultivation.

The main ceremonies, involving the whole village are concentrated at the end of the rice harvest. It occurs, as in lowland Cambodia, in December–January. As with many other peasant societies, this is the happiest time of the year, when all the people are gathered in the village, granaries are filled, hopes are high, and hunger isn't a guest at the banquet. A description of these kinds of ceremonies can be found in some of the previously cited works. Unfortunately this research commenced at the beginning of the rainy season, but in one Kreung village in Veunsai, our guests offered us the privilege of attending a small ceremony where a spectacular gong orchestra and a chorus of dancing girls performed during a full moon night! Despite the fact that many people were absent, busy in their fields, it gave us a clear idea of what a ceremony may be like when the entire village is gathered together. Men and women, old and young, participate in singing, dancing, chatting, drinking wine from the jars, in a very joyful and sociable atmosphere.

Most of the indigenous villages have for a long time been autonomous structures that didn't recognise any power above the village. As a result, to guarantee the survival and development of their group, indigenous communities have developed a broad corpus of customary laws. These traditions are quite homogeneous in their principles: communities are characterized by "a strong social cohesion" (White, 1996), where individuals' rights are continuously moderated and elaborated as a function of the whole group. The authority of the village is secured by the group of elders selected for their experience, knowledge and capacity to handle the problems of the community. Women are entitled to become community elders too.

The infringement of communitarian rules is an act liable to trigger negative consequences that go beyond the single perpetrator, suspending the spirits' benevolence toward the community and thus creating a situation of collective danger. As in other civilisations, there is a natural attitude of regarding the violation of the law as an act against the community that needs to be handled in an effort to preserve the group, more than just providing satisfaction to the victim. There is limited scope for revenge and efforts are made to ensure that the offender, once punished, can be reintegrated into the social space. Normally, the punishment is represented by a kind of payment that can vary according to the degree of the offence, from buffaloes to chickens or wine jars. The perpetrator must pay accordingly to the damaged counterpart or to the community itself. The elders deliver the punishment but the whole community feels involved in the case.

This aspect of indigenous culture is extremely relevant in the context of this research. In fact many of the indigenous practices concerning the implementation

of customary laws have a significant impact on women, who perceive it as a good instrument to preserve their rights and safety.

> In case of conflicts between husbands and wives, elders intervene; we discuss and then decide the fine, and who should be fined, the man or the woman. If somebody has done wrong we decide to fine him or her. If the fee is a cow in reality we ask for a pig. If we decide a pig then we ask for chickens. This is done because we don't want to be too hard, so we fine less than what has been decided. In that way people are not angry, and we succeed. We think it is a very effective method and we have good lives and security in the village. In case of a problem we don't call the police! (Kachok woman in Andong Meas district, Ratanakiri)

It must be said that the indigenous women couldn't remember cases of severe acts of violence, like killing, or destruction of properties, or other kind of crimes, which seem to be very infrequent within indigenous communities.

The few studies that have analysed the different roles of men and women within these communities have variously focused on the division of work between genders (Kelkar, 1997; Van den Berg, 1998), on the work of women and their health (Bourdier, 1995) and the rules that govern indigenous choices for housing, heritage and women's status (Bourdier, 1996; White, 1996). Women inherit the most valuable property, such as gongs and jars; some groups are matrilocal, and others are matrilinear.

> After wedding, the girls remain in the mother's house and property goes to the girl child. If boys are married they don't inherit; if they are unmarried they receive something, but the majority goes to the girls. All valued things like gongs and jars remain in female hands, and stay with the girls of the family. (Jarai woman in O'Yadao district, Ratanakiri)

Kreung women stressed the right of women to make independent decisions about their own heritage.

> Women marry very young, 15 or 16, and immediately have babies. There is not a specific rule for inheritance, except for some property like gongs and jars that go to the girls, but the inheritance of a woman is her own property, and she decides alone what to do with these assets even after marrying! (Kreung woman in O'chum district, Ratanakari)

Some Jarai women told us that some of the men in their communities tend to be quite "macho". We shared this feeling by observing some males' attitudes in these communities, but it has been impossible to substantiate what was a simple perception.

> I'm single; before, I was living with my family, but now I'm alone and it is hard; I have to do everything alone. My parents died in the Pol Pot era, and I'm living with my brother-in-law. I was 8 years old when they died. Some villagers help me when I need it, give me rice and something to eat. There are other single women. . . It happens if you refuse to get married. A girl that refuses a husband may remain single. Sometime men have sex with girls and then they don't keep their promises, and go away. After something like that, being abandoned before marriage, the girl cannot marry another man." (Jarai woman in O'yadao district, Ratanakiri)

The situation of widowed women is very difficult among all the Indigenous groups, even if they receive some help from the other villagers.

> I'm a widow, and for widows life is very hard. No money, no food, and if your kapha (basket that indigenous use to carry as a rucksack) is old and broken nobody will make a new one for you. (Jarai woman in O'Yadao district, Ratanakiri)

The relationship between women and men appears to be based on the need for solidarity, as when people have to face a harsh and very challenging environment. The ground for men and women living together is paved by their shared efforts. Solidarity aims first at the survival of family and kinship group, leaving little room for more mundane considerations.

> When I married my husband I was 16 years old and I have had 8 children; we have worked hard all our lives, we went to the chamkar with all the children. My husband died 10 years ago; he was good, we didn't have any arguments, and we said to each other only good words. (Elder Kreung woman in Veunsai district, Ratanakiri)

> We get married forever, man and woman together till our death! When we choose our husband, we look at his attitude, if he can take care of the children, if he can help us, and also if his appearance is not too bad. (Kachok woman in Andong Meas district, Ratanakiri )

> Our ideal husband is somebody that knows how to do a chamkar and paddy fields, and how to do some business. He should be able to take care of the family and not drink too much, must be polite and good at talking. It is difficult to meet one, but that's what we want! The ideal woman for men is beautiful, takes care of the house, makes good rice, is a good wife, doesn't look down on people, but men especially want one thing...! (Kreung woman in Veunsai district, Ratanakiri)

Normally, the women we had discussions with affirmed their right to choose a husband for themselves, and to dispose of their own property. All the answers we

have collected during the research on this subject show no evidence of arranged marriages and the woman's agreement comes prior to the agreement of the family. The family appears to be more involved in checking into the future groom's credentials.

As soon as we conversed with indigenous women we noticed that there is not the same pressure in behaviour and attitudes that characterises Khmer women of lowland Cambodia. The education of Indigenous young women does not imply special codes of conduct like the ones in use in the Khmer cultural environment, Young women, despite the respect that is normally shown toward older people, were normally talkative during the meetings. Some of our translators were young women and their attitude was respectful and well-mannered, but not shy or submissive.

> Our ideal husband is good in speaking, has knowledge, is kind, but not necessarily handsome. He must be helpful and have solidarity, must be able to cook and wash if necessary. Men prefer smart women, who can take care of children and family, and they are not scared by strong women. Our parents don't teach us about behaviour, like speaking sweetly, and moving slowly, and being sweet, we don't care about these things! (Young Tampuan woman in O'Chum district, Ratanakiri)

Sexual life is treated with modesty, as a private domain that would be inappropriate to discuss with newcomers. Kreung girls have the right to socialise with boys in a small house built near the family house, which doesn't necessarily imply having sex. The aim is finding, through socialisation, the most suitable husband. Premarital sex is considered a fault that can be sanctioned by the community if the girl becomes pregnant, and sex without mutual commitment of living together afterwards is far from being encouraged. "We are not like dogs!" was the comment on this subject made by one Tampuan woman in, Ratanakiri. Once the marriage link is established, it must be respected; customary laws sets very high fees and compensations in case of divorce. Somehow, indigenous social norms leave girls free to get some experiences before marriage, but strongly discourage the rupture of the couple after marriage. It is interesting to note the contrast with Khmer social mores, which are very strict concerning girls' premarital behaviour, but weak in protecting marital links, which are easily broken, leaving married women without protection.

Rape and sexual offences are very serious wrong-doings against the social order, and were fiercely condemned.

> Girls can choose the men they like. The men are responsible for the families. If there are some conflicts these can be solved by elders. Elders in the village are men and women. If a man rapes a woman he will be very highly fined, so he will not repeat his mistake.

> Women and girls can walk far alone without fearing being raped. Women and men decide together about things in the family. (Kavet woman in Veunsai district, Ratanakiri)

Domestic violence does not seem to have the same high incidence as in lowland Cambodia. According to the women, in the past couples use to have disputes and fights (in some case even physically, according to some testimonies) but, for example, nobody could remember a case of a serious injury or killing. However in many villages women testified to an increase in conflicts linked to the changes going on in their way of life.

> One time my husband beat me. We had an argument and then he became violent. I ran to the common house, in the middle of the village, where many people were gathered for a meeting; my husband ran after me, we turned around many times, like a cat and a dog. I was screaming and crying, and then they stopped him. Oh, I cried a lot and I made a lot of noise... (Kavet woman in Veunsai district, Ratanakiri)

### 3. The Craving for Indigenous Land

> How land problems impacted my project? Not really, but for example people didn't attend our activity because they were busy with meetings on land issues... (International NGO representative working on education, Phnom Penh, personal communication )

The majority of the villages we have visited are facing a new situation: land is becoming an object of transactions that sees indigenous people more as victims than partners. The accessibility of the provinces of Ratanakiri and Mondolkiri, made possible by the improvement of the communication system, has attracted a growing mass of newcomers, most of them in search of easy money and speculative businesses. Law enforcement is weak, and in some cases, local authorities are involved in illegal activities for their own gain.

The areas closest to the provincial towns and the ones along the main communication axes are where most of the new migrants have settled, where the highest pressure has been exerted to force land sales and where land grabbing and reselling mostly occur. Some of the indigenous villages in these regions have entered a spiral of events that, step by step, via land alienation, land sales, loss of cohesion and solidarity, leads to the community's disintegration. In remote areas the arrival of newcomers is less massive, but large-scale land grabbing is more and more frequent and involves bigger and bigger areas, often transformed into private concessions and plantations.

In most of the villages this is what women wanted to talk about, what happened to them recently, and their main worry and concern.

My land has been seized to plant rubber trees. It is our ancestor's land, but now this land belongs to some government officials. They came and started to measure it. They didn't make a fence yet. Along the road you can see the nursery for the rubber trees. They prepare it for the land they took. We are worried because we have heard that government officials will come and take all the land, even the land where we plant vegetables. First they take and then they discuss. Three communes are affected and 7 families in this village. It is my ancestors' land and will become the land of government officers. This land is community land and cannot be sold; there is no right to sell it. (Tampuan woman in Lomphat district, Ratankiri)

The newcomers come and destroy all the resources. They cut the trees and clear land from the forests. In the future in this village we will be only labourers. Some of our youth go to work for the newcomers, helping them cutting the forest and making construction wood. We have explained to them that the land belongs to the authority and should be respected but they cut, sell and export the wood. They have machines to cut wood; today was quiet because they knew that you would come. Normally, it is very noisy with chainsaws. When we tried to protect the forest, a policeman and two other persons warned us. They said with contempt: "What a strong village is this!" They looked down on us, laughing because our village is not strong enough to stop them. When the newcomers go to the forest nothing wrong happens to them. They have money and they can buy some medicine if they get sick. The spirits in the forest don't know Khmer language so when the newcomers enter the forest the s pirits cannot understand them if they say something inappropriate, while with Bunong the spirits understand and make us sick. (Bunong woman in Snuol district, Kratie)

At the district level somebody sold nearly 6000 hectares of community land. The land goes from here to the border of O'chum to the west and Ta Veng to the north. They didn't discuss it with us. Yesterday, many cars and motorbikes travelled this road, and villagers came from the district telling us that the land was sold. So today people from our village went to discuss in the other villages to decide what to do. That's why we didn't welcome you very much when you arrived with the car...[referring to our team]. It is forestland, mostly old forest. We don't know the new owner; we only know that it is a company. Apparently the district chief and the commune authorities have signed the sale, asserting that the land belongs to a Khmer man living in the district, allowing him to resell it to the company. One year ago he came here and asked the community to sell the land, he promised to build a school and wells, to provide machines for pounding rice and televisions for every f amily, to set up a karaoke palour [sic] and to enrol everybody as labourers in the new plantation. But people disagreed because if we sell land we will not have land in the future. (Kachok woman in Andong Meas district, Ratanakiri)

In some villages, where people suffered intimidation and humiliation by powerful people, arrests or prison, women are angry and seemed to realise that the guardians of the laws are often accomplices with the abusers.

> My husband and my uncle were jailed. Somebody came and put a fence around our land along the road where we keep our buffaloes and cattle. When we protested the district authority said: "Don't you understand? This land now belongs to other people". My husband and other men pulled out the fence, but these powerful people forced them to put it back in place. Can you understand how hard was for the men being forced to rebuild a fence around their own land? We are very sad and angry! We discussed together, young and elders, to find a solution, but we think that it doesn't work, because the opponents are very powerful. So we are worried for the next generation. The leader of our village went to the provincial town looking for help, but until now nothing happened. We think that the land will not be returned back to us, some people said it has been already sold and it is a policeman who sold it. With the money he made by selling this land, he bought alcohol! It was our land! So no w what should we do? (Bunong woman in Sem Monorom district, Mondulkiri)

> We have had big problems in this village; somebody came to cut the forest, a military commander. He bought 60 hectares of land in 1995, but it was written in the contract that the land should have been exploited by the year 2000 otherwise it was to be returned to the community. He came in 2005, and cut 200 hectares of trees with tractors. He destroyed the forest of three villages and some hectares of cashew nuts and rice fields. The villagers came and tried to stop him, but the police came down with guns and threatened them. But even if they threaten us we are not scared because without land we cannot live anymore! The affected villagers then discussed this with him and he promised to refund the villagers damages. But he gave them only 10,000 riels. So the villagers went to the provincial offices to protest. The provincial authorities called two of the villagers inside the office, they said just to discuss, but in fact the two villagers have been arrested and jailed for two-and-a-half months. Many people have been involved in this case, also NGOs, and we asked for help from the prime minister Hun Sen. He intervened and ordered the release of the people, but the police didn't release them. Then the villagers asked again to free them and finally they were released. After that everybody was very scared to go to the meetings. Now the situation has stalled and villagers keep quiet. (Young Tampuan woman in O'chum district, Ratanakiri)

Even being part of a "development scheme" is not a sustainable guarantee, this testimony states; it was collected from the northern part of Ratanakiri province,

across the Sesan River, where Kavet people have been resettled closer to the river as part of a UN-sponsored development programme.

> We moved from in O'Lopeng in 1996, with the development programme. The new village is different; before, the old one was traditional, now it is Khmer style; houses are scattered along the road. But the situation has not improved, we do not have a machine for rice pounding, we lack everything, some families don't have even a pot to cook with! And now the village chief has sold some land to a Chinese businessman. It was community land, our land! What we would like in the future? That nobody buys our land or cuts the forest, and we would like to have machines for rice pounding, a lot of rice and some money for a better life. (Kavet woman in Veunsai district, Ratanakiri)

Pressure over land is also a potential source of interethnic or intercommunity conflict. Communities that are under pressure may trespass in other communities' land, or entire landless villages may move to a region where it is easier for them to settle.

> Now we are in a critical situation. Here the forest was taken by Tampuan people, who said that was their ancestors' land. In the river the fish is less, and the soil is no good. We came form near the border of Vietnam, when we were children a long time ago. During the Pol Pot era we escaped into the mountains, and after that we came here. Now our fields are taken by Tampuan people and we have only a little bit of land. The problems started a few years ago; we used to cut forest to do chamkars and plant cashew nuts, but Tampuan villages nearby sold land to Khmer newcomers. Now the Tampuans don't have land to make new chamkars, so they take ours. Now there is nothing, no food, chamkars are taken, and forest is cut, and no fish. We are all poor now, we sold our buffaloes to build the houses, some buffaloes died and now we don't have any left. *(*Jarai woman in Andong Meas district, Ratanakiri)

**4. Immigration**

The internal migration of ethnic-Khmer citizens into the indigenous areas is increasing the pressure over land and natural resources. Along the main communication axes, the influx of newcomers can be dubbed a kind of "Gold Rush". The attitude of taking as much of the land and resources as possible creates friction with the local inhabitants. Competitions for resources and a vision of the environment that is diametrically opposed to the traditional one of indigenous peoples tends to make newcomers unwelcome. The laissez faire attitude of the authorities permits the deception of the indigenous' population, leading to confrontation and anger.

> The newcomers are Cham and Khmer. They clear the forest and do chamkar. Normally they cut the trees near the road but some clear forested areas for 500 metres, even 1 km from the road. They don't feel pity for the forest and they also cut the spirits' forest, even if it's forbidden. We use to collect nuts and sell them but men have to climb the trees. Cham people, instead of climbing, cut the trees to get the nuts. If Cham people destroy the sources of our income, next year we will have nothing to rely on, both the Cham and us. We are angry, furious, but we don't know what to do; many big trees have been cut already. We discussed among the elders, men went to see the district authorities, but we didn't succeed. Nobody could stop the newcomers, even the district authorities. More and more people are arriving, they just come and establish [themselves] here. Maybe they buy land from the commune. We don't have evidence, it is just a suspicion, but we are sure that they don't buy land from us.The authorities warned the Cham, but they have money to bribe them so they continue to clear the land along the road. The Environment Department chases us if we try to clear new chamkars from the forest, but the Cham cut the trees at night. Some clear the forest to grab land for re-sale. Cham cut the trees, and then invite relatives and friends to buy the land, make houses and buy cars. (Bunong woman in Pech Chenda district, Mondulkiri)

Due to the circumstances of their arrival, and their attitudes, it appears difficult for indigenous people to believe in a vision of coexistence and shared values with the newcomers. A cultural trench divides the communitarian values that define indigenous communities from the hierarchies and the patronage that animates Khmer society.

> There are Khmer living nearby, but we have some problems. We built the water reservoir, but it is only to wash ourselves, not to make the laundry because there is not enough water. They came and washed clothes and when we told them that washing clothes is not possible they got angry and blamed us. We have built the reservoir and the well on our own, they didn't want to participate in the work and expense. Despite that we give them the water, but they don't follow the rules. Nonetheless, with some Khmer we have good relationships. (Tampuan woman in O'chum district, Ratanakiri)

> We are afraid of modernity, we are afraid of foreigners that come here. Khmer look down on us, they look at us as very poor, strange, dirty. They pay a low price for our products. But other "cheunchiet" (local indigenous groups) are as good as we are because we have similar traditions, but Khmer are rich and don't talk with us and when we walk along the road they don't let us drink their water. (Jarai woman in O'Yadao district, Ratanakiri)

> Once a man came with a motorbike and showed us a gas stove. We never saw something similar before and we crowded around him to see, ask, and touch. But when he asked us to buy and we told him that we do not have money for this thing, he become very angry and scolded us very strongly. We were ashamed and worried. So now whenever somebody comes we never approach because we are scared to be mistreated. (Tampuan woman in Ban Lung district, Ratanakiri)

Sometime the fear is motivated by acts of violence against women. This is due to the prevalence of single men among the immigrants.

> We are afraid by the workers from the Chinese concession. We fear to be raped and that they will hurt people with knives. Once the workers came in this village and there was a big brawl and we had to call the police. A company worker took a 17 year old girl away and still we don't know what happened to her. Since 2004 we have those people around here, so we only go around accompanied. The young men of the village like drinking with those workers, so we are afraid that they will become like them. (Bunong woman in O'reang district, Mondulkiri)

**5. Environment: conservation or devastation?**

Indigenous communities are bearing the environmental impact of intensive natural-resource exploitation. Deforestation is increasing; in many areas in the Northeast the forests have almost disappeared. Along the road from Stung Treng to Ratanakiri, only a thin strip of trees remains; this cannot hide the immense clearings in the forest, away from the road.

In O'Yadao district, in Ratanakiri province, entire forests have been cut. In part of the central districts of Ratanakiri, rubber and cashew-nut plantations have replaced the forests. In three Ratanakiri districts the communities living along the Sesan River are affected by the impact of the Yali Falls dam that was built in Vietnam but raised protests and polemics in both countries (Cooperation for Sustainable Development, 2000). The introduction of destructive fishing practices, like electrocuting fish, has destroyed resources in many rivers and streams. In two communes in Mondulkiri people started to suspect that the use of herbicides and pesticides by the new concession owners was the cause of some cattle deaths.

In some areas of Mondulkiri, the provision of water is difficult and the increasing numbers of new migrants contributes to worsening the problem. The last two years of severe drought are unanimously considered by indigenous people as a direct consequence of intensive deforestation.

> The river has changed; years ago we could bathe and fish, but now the water is not good, and goes up and down. Fishing now is very difficult; we lay out the nets and the water disappears. (Kachok woman in Andong Meas, Ratanakiri)

> The water is not clean; it smells bad and sometimes we have skin problems. It goes up and down. When they open the dam we have a strong flow and we cannot fish because it is dangerous. There is no system to inform us before they open the dam. We discussed this many times with the village and commune chiefs and we ask them to be informed before when they decide to open the dam. We now only use the village well for drinking water and the river for washing. If we wash at the well the water will be not enough. So we wash less. We don't wash the children in the river when the water has a bad smell. It is a very big problem. (Jarai woman in O'Yadao, Ratanakiri)

> Before the dam we could easily find fish and have enough to eat, but now the river has changed and it is very difficult. The village is flooded when the water goes up, and we cannot fish. The fish have disappeared; we can catch only the very small ones. Before, our daily food was ensured, but now we even cannot rely on fish. (Kreung woman in Veunsai district, Ratanakiri)

## 6. Land sales

In many villages, especially the ones nearest to the provincial towns, land speculation has exerted harsh pressures on indigenous people. Lured by offers of money, many people have sold their land, in part or completely. Often, the offer is ludicrously low, but indigenous people weren't aware of the real value of their land. Such land sales within these communities has created deep divisions and distrust. In some cases the indigenous communities have literally disintegrated under this pressure.

> This house is our ancient chamkar house. We are living here now because all the village land was sold. If we die we will be buried here, because even the land of our traditional cemetery was sold. The children go to school in the old village and walk for 2½ km. Now we don't have any land to move to, so we depend totally on cashew nuts. If the harvest is bad or the price is too low we will become labourers. We have less than half a hectare, and my husband already works as a labourer because the price went down. This year the income was 130,000 riels. With that we buy salt or medicines. My husband works for Khmer people planting cashew nuts and sesame and gets 5000 riels a day. Without land there is poverty, lack of food, we don't eat enough, there is no money to buy medicine, no money to bring the children and the old people to the hospital. Before there was land and forest, and we had better living standards, we had animals, cattle and buffaloes,

and we could rotate our chamkar. Now there are Khmer people living in our old village. (Tampuan woman in Ban Lung District, Ratanakiri)

This village is only 2–3 years old. We are Tampuan and we come here to work in the rubber plantation after having lost our land. Here we decided to create a new village. Now we stopped working on the plantation because we are tired, thin and sick, both men and women. Now there are Cham people working there. Sometimes we go back to see what happened in our village, but our land has been sold and there is nothing we can do. We have planted cashew nuts on our chamkar, which is only half a hectare. After three years we will have our first harvest, now we grow rice. Here there is no forest, there is not enough food, water is very far, it is hard to find wood for cooking. There are no animals to hunt and fish have disappeared because people used electric fishing. We can sell some vegetables in Ban Lung and buy salt, MSG and medicines. Some men drink a lot. Sometimes there are conflicts. Some people listen to the advice of elders, some don't. Our spirits are in the old village; here we don't have them. Because of this, my child passed away and the other is frequently sick. Without spirits there is no health and the people die and become sick. Even if we go to the hospital in Ban Lung and they give us tablets we are not better (. . .). We don't have a land title, but the authorities know that we are here, and it is sure that the land will stay with us. The Commune has decided that this is our land. We have sold our land before, but now we will not sell it again. We have just a little bit of land, 30 by 60 metres including the house and chamkar, and we cannot clear new land. All our hopes are in the cashew nuts, we hope it will work. Here it is very hard, but we don't have alternatives, if somebody will give us some land we will go there! But nobody will do that. Other people sold my land and here there is only misery. (Tampuan woman in Ban Lung district, Ratanakiri)

Quite often land is sold for a low amount of money, which contribute to stereotypes among the Khmer living in the provincial towns the image of indigenous people as naïve and dumb. Apparently, some NGO officers based in indigenous areas have been involved in land sales, taking advantage of their role and position to lure indigenous people into selling their land. The phenomenon has forced some NGOs to take action: employees involved in such episodes will be fired (NGO Forum representative, personal communication).

**7. New land use**

Under pressure from land grabbers, people have tried to secure their land by establishing clear signs of possession and cultivating all the available soil. The availability of cash crops has pushed many people into new forms of land use. The system of

rotating plots has been abandoned or changed by intensifying chamkar exploitation. Cashew-nut trees have been extensively planted in the old chamkars, both to secure the property and to get cash from nut sales.

> We planted cashew nuts because everybody was doing so. We also wanted to secure our land so that nobody could take it. Here, people didn't sell land, but the provincial authorities came and seized land and sold it to companies or Khmer people. Some of them then settle here, others just buy to resell. We were worried, nobody informed us of what was going on with land sales. Even people from the village sold but nobody said anything. We still don't know who is selling the land, the deal was secret, we think that the sellers are Khmer people or Bunong from Phum Jesus. Today we grow cashew nuts and bananas and nobody from outside can sell this land, because we know the owner. We live at risk; in the future we will not have enough land for our children. We grow cashew nuts but we don't care about price, we still think that one day we can move to a new chamkar, but now the land is no more available! (Bunong woman in O'reang district, Mondulkiri)

> Before the village was built differently, not scattered around like now. But then we were afraid that people would come and take our land so we discussed together and we decided to change. We have divided the land, moved the houses and planted cashew nut trees around our houses. If people see empty land they will take it, if there are cashew nut trees the land belongs to somebody. (Tampuan woman in Lomphat district, Ratanakiri)

In some cases this has resulted in an increased workload, fatigue, and risks that women have to take in order to guarantee their group survival.

> Before, it was more pleasant. We had time to rest during the dry season, and time to spin cotton and weave. Sometimes women went to the forest with the men for many days, to choose the new chamkars. Now the work of the women is harder, because we have two chamkars, we grow vegetables and rice, and also we plant cashew nuts and soy beans. You finish with one and you have to start the other one. Women have adapted themselves and taken responsibility for the work. What do we do during rest time? How could you call it rest! Now we stop for 2–3 days only! When we finish the rice harvest we have to continue with the other chamkar. Before we had time, now it is over. We have time only for a few ceremonies. And our chamkars are much farther; we walk for hours just to reach the place to work. (Jarai woman in O'Yadao district, Ratanakiri)

> Some of the work we are doing now was men's work before; now women work in the field. Before, men cut the forest and women wove; now it is not possible, we don't have time to

> plant the cotton, collect it, spin and weave it at home. Women help to prepare the chamkar, this work needs to be done quickly, nobody can stop because otherwise you can miss the rain, and if you don't finish the fence, animals can enter and destroy the chamkar. (Jarai woman in O'Yadao district, Ratanakiri)

Cashew-nut plantations seem to be an easy answer to the crucial demands of securing land and finding cash to afford a modern life. In Ratanakiri province, this activity is well-developed and cashew-nut plantations now cover wide areas. Despite the inexorable decline in the price of nuts over the past few years, and the previous experience with price fluctuations disrupting coffee plantations, there are tremendous expectations placed on the power of cashew nuts to make things turn out better. These expectations are fuelled by the success of the first planters, who have benefited from the initially high prices, and by the intervention of some governmental and non-governmental organisations, all promoting this new way of using land.

> Before we were stupid and we used to do swidden agriculture, but people came to educate us and now we plant cashew nuts. We have two chamkars, one for rice and one for cashew nuts, but as soon as the trees grow we will plant cashew nuts in the second chamkar too and stop planting rice. So, in three years we will produce only cashew nuts. Some people gained more than one million riels per year with cashew nuts! However, this year the nuts were not so good, so the price decreased. People from NGOs and from the government came here, organised meetings and provided us with inputs for cashew nut planting. When cashew nut trees grow we cannot plant anything else so we will move to another chamkar. (Bunong woman in Sem Monorom district, Mondulkiri)

> In the past our village was beside this place, but we moved three years ago, because many people were sick and the land wasn't easy to work. We have forest around here, chamkar, and cashew nuts. There is enough land, but some people don't have seeds for cashew nuts and some don't want to grow it. It is difficult to find the seeds; without money nobody gives us the seeds. People without money for the seeds become labourers and buy seeds with their income. The first people that planted cashew nuts were rich Tampuan and Khmer; when poor people wanted to plant cashew nuts the price of nuts fell! We can keep cashew nut [trees alive] for 20 or 30 years if no diseases occur. Sometimes there are pest problems and the nuts are burned. We don't know how to take care [of them] and there are many losses. We don't know how to fertilise the soil, so in some case plants have small or empty shells. Khmers know how to fertilise the soil and to use chemicals to ameliorate the yield. (Tampuan woman in O'Chum district, Ratanakiri)

## 8. Sources of income and spending habits

The introduction of cash crops has changed the lives of many indigenous people; for the first time they have access to a significant source of income. However, the introduction of cashew-nut plantations has subverted indigenous land tenure towards individual land property replacing communitarian land management. Such a change is not without consequences. Within the communities inequality is increasing; labour that was previously carried out in a group, providing mutual assistance for the hardest agricultural tasks, is now monetized.

> Now we have money, that's the main difference compared to before. It is true that we have more work, but even if the work is increasing we have money to buy salt and MSG. People work as labourers when they finish with their own chamkar; they work one or two days in other peoples' chamkars to get 5000, even 7000 riels. Both men and women. Before we couldn't pay labourers because we didn't have any money. *(*Tampuan woman in O'chum district, Ratanakiri)

> In this village the rich are getting richer and the poor much poorer. Rich have everything, new houses, motorbikes, buffaloes, and poor don't have a pot to cook with. Rich have things to sell, poor sell their work. I do not see a good future for this village. We have made some progress, from the house made by leaves we have now houses in wood; we do not carry the babies with our kapha anymore; but for poor families life is as hard as before. (Tampuan woman in Andong Meas district, Ratanakiri)

The access to some prosperity is inducing new values; some traditional practices are now considered signs of poverty, while the adoption of new ones is perceived as a sign of wealth.

> Even before there were rich families, but they had gongs, jars, buffalos and cows. Now things have changed; they have wood houses, motorbikes, cars... They do their weddings like the Khmer, the rich, with cassette recorders, loudspeakers and Khmer music. Now only the poor do everything like before: killing the pigs, drinking from jars, and making music with gongs. (Kreung woman in O'chum district, Ratanakiri)

> Here, rich people organise their weddings following Khmer and Bunong traditions. They celebrate in the Bunong way first and then Khmer later, with two different parties: the better one for people who can provide money, according to the Khmer tradition, and the Bunong wedding for the poorest. The people who pay sit on chairs, while normal people

sit on the ground; also the food is different. (Bunong woman in Pech Chenda district, Mondulkiri)

The income generated by land sales and cash crops has been invested in new houses, animals, and means of transport, especially motorbikes. In some cases, income has quickly disappeared or has been spent on goods of dubious value, like old cars.

Some families were able to speculate with land and gain a lot of money, but others didn't and their own chamkars have been sold. Some people in this village have sold community land! Buyers are Khmer who start to do chamkars or resell the land. I was born in this village but now I have to pay money to somebody who says that my house is on his ancestors' land! With the money some people buy wine, go with prostitutes or buy motorbikes. Some have spent all the money and now are poorer than before because they don't have land! Some men sold it after discussing with the wife, but some others sold everything after sitting and drinking with the buyers, without discussing with the family and spent all the money. (Tampuan woman in Ban Lung district, Ratanakiri)

In many discussions, women seemed concerned by their men's spending habits. Apparently it often happened that men just waste their money.

In some cases men keep the money from cashew nuts sales. In this case they buy motorbikes, drink or smoke, and come back without anything. But in other cases they discuss it with the wife and we decide together. (Jarai woman, O'Yadao district, Ratanakiri)

**9. Impact on women**

Income and spending have different impacts on men and women. Men have increased their mobility, travelling frequently and visiting villages and district towns, therefore decreasing the time spent in their villages. This widens their contact networks and allows them to participate, to some degree, in Khmer social life in district and provincial towns. Their knowledge of Khmer language increases faster than the women's, as well as their integration into the Khmer community. Frustration resulting from the gap dividing them from Khmer males grows also.

Before we wore no shoes, now we do. Our houses were made of bamboo and leaves, now we have wood houses, and bikes, and motorbikes. But Khmer are always a step forward; they have cement houses and cars. They are richer than us, always. (Tampuan woman in Andong Meas district, Ratanakiri)

Largely confined to the very demanding tasks of everyday family life, many women see modernity through the eyes of their husbands. This division between men and women appears to be widening. Changes in the village way of life open the door to new problems.

> In some families men help the women, but in others life is harder than before. Traditionally men have only one job, while women have many. We work more than in the past because men are more in charge of other things; they take the motorbike and go to sell, while women are stuck with the hard, daily work. It is easy because the husband can go to sell and buy useful things, but it is harder because women take care of the chamkar alone. (Bunong woman in Puchiri district, Mondulkiri)

> Before, husbands used to take care of the children: during the evening they chatted in the village, carrying the children on them. But now they go out with their motorbikes and they prefer to be alone because they feel ashamed to go out with the children. In the past, husbands scolded and complained to us, but at least they stayed in the village, drinking together especially during ceremonies. But now they drink alone, or they drink everyday for 1 or 2 months and when the women complain there are conflicts in the family. *(*Jarai woman in O'Yadao district, Ratanakiri)

A trend toward an increase in alcohol consumption and violence can be identified in some of the collected testimonies. Comparable to other indigenous people in many parts of the world, the highlanders of Cambodia react to their loss of identity and status by escalating alcohol consumption and adopting frustrated and violent behaviour, analogous to situations seen in other contexts (Farley & Lynne, 2002).

> Men drink more than before, now they drink beer and white wine in the district town. They drink because they are angry, but once they are drunk they are not happier and they still want to create problems. Sometimes they are afraid that women will blame them so they start to blame first. Men now have more free time, so they don't know what to do, they play cards and drink. They don't hunt anymore, so they have less work. Men want to be higher than women, but now sometime they stay at home, drinking all the time and are afraid of women's disapproval, so they create problems. (Tampuan woman in Andong Meas, Ratanakiri)

> When men are free they help women in all the tasks, when they are drunk they don't! They drink more than before, everywhere, and sometimes we have conflict and violence. Before they were only drinking during ceremonies. We think that they drink so much because now there is white wine, and there is money and because of the changes in the

> society. They don't understand the consequences of drinking; when they get drunk they provoke the wife, create conflicts and arguments, and some ask the wife to wash their feet. I asked my husband: why do you drink so much? He answered: "I don't know, when I go out with the others, they drink and I drink too, I follow them". Some men say, "I provide the money, you are alive because of me, so I do what I want to"; some say, "I learnt how to drink from my parents"; some say that it is because they have some money, and some are drinking because of their own attitude. (Young Bunong woman in Puchiri district, Mondulkiri)

> Some men take the money and destroy the family's property, while women continue to work in the chamkars. We have lot of conflicts now, some men feel that their wife is old and they want to find young prostitutes, and spend all the money. When they finish the money they come back even more angry. Now we have a lot of divorces. When women complain or blame them there is violence. Some wives decide to get away from the husband but some still continue living with the violent husband that destroyed all their property. The village chief for example has two wives. We still have elders, but now they have less authority. Some people don't care; young men become gangsters or robbers. (. . .) At present we have also rapes; many girls are cheated by men from the village or by outsiders. Before we fined them but now no more; our spirits have gone away, our community is not strong; nobody cares about elders and fines. Now girls are worried to go around alone. One woman married to a Cham husband was abandoned when she was pregnant. We want to write to the newspaper and say that he is a bad man. (Young Tampuan woman in Ban Lung district, Ratanakiri)

These aspects are related to the level of disruption felt by the communities. The above-mentioned examples, referring to communities nearer to the provincial towns and facing intense land-alienation, are harsher than the following ones, collected in more remote areas:

> We have only little conflicts, we fight in the morning and we talk to each other in the evening. We fight because of jealousy when husbands go to the town and spend money singing and drinking. We don't have second wives in the village, only men that go to drink in town. When my husband goes to drink, I punish him; I don't go to fetch water and I don't cook for him when he comes back. (Young Tampuan woman in O'chum district, Ratanakiri)

> Now we have more problems with men. They want to be free, they look for conflicts, they want to divorce and find another wife! Sometimes women can find another husband too, but not if they already have children. Elders and the village chief normally try to find

> solutions to conflicts. We haven't had rape in our village, but if we change behaviour maybe in the future we will have this problem! (Young Jarai woman in O'Yadao, Ratanakiri)

Some development agencies have put a great focus on the threat posed by HIV and human trafficking within indigenous areas. We could collect only one story, reported by somebody who had heard it, concerning a girl who escaped from a village in Andong Meas district and went to Ratanakiri provincial town where she apparently worked in a brothel. Her parents brought her back to the village but she escaped again. As in lowland Cambodia, where high rates of HIV infections occur among groups having access to a certain level of income—military, civil servants, and urban middle-class men, including NGO employees—the risk of HIV contamination due to accessing commercial sex (in the towns) is largely a matter of money.

> Before we didn't have indigenous prostitutes, but somebody told us that there are some in Ban Lung. We are scared by prostitution; men take the money and when they come back there is no money left. However this is a problem for families with money because the poor cannot go. Here we don't have second wives, only men that go to find prostitutes and only the ones with money. (Tampuan woman in Andong Meas, Ratanakiri)

Probably, there is a greater risk of contamination for the newcomers from lowland Cambodia (variously middlemen and businessmen, service-providers such as taxi and truck drivers) who crowd the brothels in town and who can afford to rent the services of sex workers in the hotels at night. In some cases, pornography has reached the indigenous villagers, where it has generated some fiery reactions.

> Somebody came to the village and showed us videos with naked men and women; you know what I mean. We think it is really crazy. What kind of foolish people are they? We have never seen anything like this before; we didn't know it existed; even our elders didn't. We hope this will never happen here. (Kavet woman in Veunsai district, Ratanakiri)

> One time we used to get married later, at 20–25 years; our ancestors could stay single for a longer time because there was less interest in sex. Now people get married even if they don't know how to cook! Before you couldn't get married unless you were able to make all the tools necessary for the house, like trays or baskets for rice. But now people look at Khmer videos; there are three families in the village with TVs and they watch porn movies. After that they want to get married immediately. I think it is a shame; it is embarrassing and can affect young people who will learn the wrong attitudes. You can see it already; they get married even at 15. (Elder Bunong woman in Sem Monorom district, Mondulkiri)

**10. Visions of the Future**

These women's visions of the future tend to reflect the contradictions and controversial values of modernity.

"Before it was harder; there was no food, no pots to cook with; we had to go and dig for wild potatoes when food was scarce. Today, young people don't follow our traditions, they don't celebrate ceremonies and beliefs; they drive very fast; they don't respect animals or children; they go alone into town and drink a lot of beer or wine. So I don't know what to say." (Jarai woman in O'Yadao district, Ratanakiri)

"In 20 years our village will be big, with many people and houses; we will have cashew nuts and we will have everything! We would like people to understand why we are poor. We don't know how to make money from money, as Khmer people do. We only know how to sell a little bit and make chamkars. We plant and eat, while Khmer people plant and run to sell." (Kachok woman in Andong Meas district, Ratanakiri)

"Now we have development so in the future we will have houses made with cement. We will have also a problem, because if our children will study, they will forget their traditions and become like Khmer. But if they don't study, they will remain ignorant and will be cut off from everything." (Tampuan woman in Andong Meas district, Ratanakiri)

Women in villages where the most negative changes took place (such as the loss of land and resources) have an uncertain view of the future.

> Maybe in the future this village will become a Khmer village. Tampuan will go to stay away from their chamkars, scattered around. Now even the land of our cemetery has been sold, so it is difficult to bury our own people. Maybe somebody will create a new village for our children. *(*Tampuan woman in Ban Lung district, Ratanakiri)

> Work today is harder than the older generation, at that time no women were labourers! Before we use to weave, but now we cannot, and we exchange products for clothes. When I was young there was more to eat, we had more farms and enough rain. For us the hard times started in 1999: more immigrants came, most of the forests were cut, foreign companies came, and there was less rain. We complain to the government but nothing happens. We cannot cut and burn new chamkars near the Chinese concession, guards watch and fine us. They have guards, who kill our cattle when they enter the concession, monitor what

we do and threaten us. We think that in the future there will be no land for our children and for the next generation. *(*Elder Bunong woman in O'reang district, Mondulkiri)

Education is considered very important for achieving a better future, but many women realise that education alone is not enough to improve their lives, nor to ensure the wellbeing of the next generations.

Our future is in education. I try to study, and push other people to study, but they say "You don't become rich by studying". But I want them to be aware, as a mother I'm sure that education can reduce their workload and will make people wiser. My daughter doesn't want to study; she has silly ideas; she'll spend time watching videos; she doesn't listen, and says, "To learn or not doesn't make any difference". Some girls say that they cannot go to school because they have to do the housework. This needs to be solved because we need to improve. (Bunong woman in Pech Chenda, Mondulkiri)

We would like that the children could have knowledge and learn how to do things well and manage it. We would like to have many cashew nuts and buy bicycles and motorbikes. We really hope that the young people can improve. But in the future there will be no land, so how can the village improve? (Tampuan woman in Andong Meas district, Ratanakri)

## 11. Women Taking Action

This overview of indigenous women's perceptions could not be concluded without mentioning their great willingness to act in the interest of their villages and groups to protect the interests of future generations.

We all are affected by the problem of land grabbing close to our villages; we must take action, otherwise we will not have land for the next generation. We will meet together and we will try to do something. (Kachok woman in Andong Meas district, Ratanakiri)

This is a village with many ancient traditions. During the Pol Pot [era] many things were destroyed, we lost all our gongs and jars, but after we managed to buy them again. We are very proud of this. We keep alive our traditions; we teach the young how to sing and how to play. They should not loose their culture and we work to keep it alive. (Elder Kreung woman in Veunsai district, Ratanakiri)

We are very worried in our hearts; we think that in the future there will be no more Indigenous people! We want to fight because we want to maintain the forest for our children and we want some forest left for their future. Our lives rely on the forest, we are

> indigenous and we live in the forest, where else should we live? We try to resist, writing letters to the Commune, if it is not effective, we write to the District, and also to the Province. (Stieng woman in Snuol district, Kratie)

> Here the women are strong and brave. Some have been very strong since the beginning; some became brave by experience, even if they don't know how to write. We speak truly, we don't exaggerate and we say only the truth. We have taken some steps, through non-violent actions; we went to the provincial governor's house. Men and women went there, young and old, even pregnant women. Some walked, some went on their motorbikes, some by bicycle. There were 2 Communes, nearly 700 people. We went to the provincial governor and said that he is corrupt and gave our land to the Chinese company. He sold our grazing land to foreigners, and now we have pesticides and chemicals in the land that have poisoned our animals. People supported us with water and food along the way and said it was a good action; only the police said it was not good. Bunong woman in O'reang district, Mondolkiri)

On two different occasions the contributions of women were collected during workshops organised by a local association, gathering people from several districts and villages to discuss these issues together for two days. The long distances travelled to attend the workshop, the rain that transformed roads and turned the paths into rivers of mud, the long nights of roaring storms, the very rough accommodation in the common house where 60 people crowded together, seemed not to deter them at all. After two days the women took their little rucksacks and walked back to their villages to tell the others about the meetings.

**Conclusion**

Indigenous women's participation in everyday life is based on an ancestral knowledge that needs recognition and protection. In many instances the cultural identity of Cambodia's indigenous women is particular, and their position within their communities is significant. A series of effective customary laws ensures their role and guarantees their rights by ensuring a peaceful resolution of conflicts. Indigenous women enjoy an important status in their own communities, and they do not suffer the threat of cultural or religious prejudices.

Nonetheless indigenous women are now facing a series of changes that are endangering their livelihoods, their identities, their cultures and their status as women. They have acted as absorbers of these shocks by continuously adjusting their lives to the limit of self-sacrifice, ensuring that their families and their larger ethnic groups can survive. Their work has changed and has become more repeti-

tive and alienating; their workload has increased. In many situations their time for leisure and creativity has declined despite the introduction of technologies aimed at reducing their workload (see Jeremy Ironside's contribution, Chapter two). Their increasing responsibilities in ensuring the family's survival has, in turn, isolated them and decreased their exposure to positive changes, while it has allowed their male counterparts to progress in some respects.

The new, incoming culture conveys a predatory vision, similar that of colonisation: indigenous land is seen as a source of fortunes to be made, while people living there are irrelevant and invisible. The lack of respect toward the environment, the lack of solidarity, and the prevalence of competitiveness, individualism, and commoditization as the primary values driving this transformation shakes the foundations of the indigenous world and affect in deep women's life. In this new vision, women have a minor status: their work becomes invisible, unvalued and alienating. Family ties are shaken while new models of submission and/or sexual exploitation create the groundwork for discrimination.

Despite these changes, indigenous women have shown their willingness to actively counteract the worst impacts that modernity is having on their communities and lives, and they may have a tremendous influence in setting the agenda for resisting such losses.

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# Contributors

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*Frédéric Bourdier* is an anthropologist from the University of Bordeaux. He has been living six years in south India, working on social aspects of health issues and practices in Tamil villages and on sociocultural changes within the family unit occurring at the time of the HIV epidemic. He conducted interdisciplinary research in French and Brazilian Amazon on migration and health related issues from 1999 to 2003 and was attached to the Museum Emilio Goeldi in Belém, Pará. He went to Cambodia in 1994 and studied the social ecology of the indigenous people, specifically the Tampuan, in Ratanakiri province. Since 2004, he has been in charge of a French-Cambodian programme dealing with the health policies and the mobilisation of civil society in the fight against HIV/AIDS. He periodically returns to Ratanakiri to the villages where he previously lived to study the impacts of development on the lives of the highland peoples.

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**Sara Colm** graduated in psychology from the University of California in 1979. Her post-graduate work at Cornell University included Southeast Asian studies and the Cambodian language. She has been working as a journalist, researcher, and human rights monitor in Cambodia since 1992. She helped establish the Phnom Penh Post newspaper in 1992, and served as its first managing editor. Since 1998 she has worked as senior researcher for Human Rights Watch. Her research in Cambodia has included studies on indigenous land rights and community forestry initiatives, and the effects of logging concessions and industrial plantations on indigenous cultures, religions, and livelihoods. She is author of "Repression of Montagnards: Conflicts over Land and Religion in Vietnam's Central Highlands," which was published by Human Rights Watch in 2002. She is currently writing a book documenting the history of Cambodia's indigenous minorities under the Khmer Rouge regime in Northeastern Cambodia from 1968–1979.

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**Bruce Shoemaker** holds a Masters degree in international development/Southeast Asia Studies from Cornell University. He is an independent researcher on Mekong regional development and environmental issues and is currently based in Minneapolis, USA where he works as a consultant to the Southeast Asia Grants Program of the McKnight Foundation and engages in other Mekong region related research and advocacy projects. He has lived in Lao PDR for eight years while working for a number of international NGOs, including as the country representative for the American Friends Service Committee and then for Consortium/World Learning. He has conducted research and written extensively on river-based livelihoods and on the impacts of hydropower dams in Lao PDR for a variety of environmental and development organizations and has worked with refugee assistance, resettlement and repatriation programs in the US, Thailand and Lao PDR.

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**Plate 1.** Brao old man, Phouvong, South Laos (Ian Baird)

**Plate 2.** Basket making among the Tampuan (Frédéric Bourdier)

**Plate 3.** Before the present-day excessive logging period: house preparation with bamboos, Ratanakiri (Frédéric Bourdier)

**Plate 4.** A joint family house with four generation of women living together, Ratanakiri (Frédéric Bourdier)

**Plate 5.** Bunong women from Mondolkiri claiming for their land right in 2006, Phnom Penh (Frédéric Bourdier)

**Plate 12.** Women at work (Frédéric Bourdier)

**Plate 13.** Shop in a highlander village selling imported products and adulterated alcohol (Frédéric Bourdier)

**Plate 14.** Tampuan girl, Ratanakiri (Frédéric Bourdier)

**Plate 27.** Dry forest on road to *phum*—village—Leur (Megan MacInnes)

**Plate 28.** Natural " Fire break" in middle of burnt savanna-grassland (Megan MacInnes)

**Plate 29.** Savanna-grassland fire, Mondolkiri (Megan MacInnes)

**Plate 30.** Vegetation which has been left surrounding the *müir* field in order to protect it from encroaching fire (Megan MacInnes)

**Plate 31.** Traditional Bunong gong playing to call the spirits, Pichrada District, Mondolkiri, Nomad RSI (Megan MacInnes)

**Plate 32.** Bunong women in traditional costume at a ceremony in Sen Monorom town, Mondolkiri (Megan MacInnes)